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- (f) the management and improvement of lands and other property placed by the Government under the management of the cantonment authority, including—
- (i) the construction and maintenance of streets (other than those maintained from Imperial or Provincial funds),
 - (ii) the lighting, watering and cleansing of streets, and
 - (iii) the maintenance of public parks and gardens and the planting and tending of trees;
- (g) the provision and maintenance, or the aiding, of hospitals, dispensaries and schools and the conveyance of patients to and from hospitals and their expenses therein;
- (h) the provision and maintenance of public markets and slaughter-houses;
- (i) the acquisition of immoveable property for cantonment purposes;
- (j) the carrying out of a proper system of conservancy throughout the cantonment for all its inhabitants other than classes of troops for whom conservancy is provided from public revenues other than the cantonment fund, including—
- (i) the pay of the public conservancy establishment,
 - (ii) the construction of public latrines and other conservancy works, and
 - (iii) the purchase of all necessary conservancy carts, utensils and other appliances;
- (k) the carrying out of a proper system of water-supply and drainage and of other sanitary measures, including public vaccination and the prevention of the spread of infectious or contagious disorders, and generally the maintenance of the cantonment in a thoroughly sanitary condition;
- (l) the burial, burning or other lawful disposal of the corpses of paupers and unknown persons;
- (m) the abatement of nuisances;
- (n) the taking of a census; and
- (o) generally the payment of all expenses incurred under this Code or any other rule or law for the time being in force.

(2) The cantonment fund may, with the general or special sanction of the Local Government, be applied to any of the purposes referred to in sub-section (1), within or without British India, beyond the limits of the cantonment, in cases in which, in the opinion of the Local Government, the application of the fund beyond those limits is for the benefit of the inhabitants of the cantonment or of any military force or detachment ordinarily quartered therein.

Estimates and Sanctions.

30. No money shall be paid from the cantonment fund unless the expenditure is either—
 Money not to be paid unless expenditure sanctioned.

- (a) provided for in the sanctioned budget estimate, or by re-appropriation under section 33, or
- (b) sanctioned by the Officer Commanding the Division, and
- (c) in the case of expenditure on Public Works, unless detailed estimates have been prepared and sanctioned.

31. The cantonment authority shall, under the direction of the Officer Commanding the Division, be responsible for administering the funds provided in the sanctioned budget estimate or sanctioned under section 30, clause (b).
 Responsibility for administering funds.

32. (1) On the first day of June in each year, or on such other date as the Officer Commanding the Division may direct, the cantonment authority shall submit to the Officer Commanding the Brigade or Officer Commanding the Division, as the case may be, a budget estimate of the receipts (including any grant-in-aid) into, and expenditure from, the cantonment fund, for the ensuing financial year.
 Submission and sanctioning of budget estimates.

(2) The budget estimate shall be framed in accordance with Form 8 in Schedule I, or in such other form as may from time to time be prescribed by the Comptroller-General with the previous sanction of the Governor-General in Council.

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(3) The Officer Commanding the Brigade may revise the budget estimate, and shall submit it to the Officer Commanding the Division.

(4) The Officer Commanding the Division may sanction the budget estimate, with or without modification.

(5) The sanction of the Officer Commanding the Division to the budget estimate shall be communicated by him to the Officer Commanding the Brigade and the cantonment authority.

33. (1) The cantonment authority may—

Re-appropriation.

(a) with the previous sanction of the Officer Commanding the Division, re-appropriate any sum from one major head of the budget estimate to another:

(b) with the previous sanction of the Officer Commanding the Brigade, or Officer Commanding the Division, as the case may be, re-appropriate any sum from one minor head or sub-head of the budget estimate to another minor head or sub-head under the same major head, or from one major head to another.

(2) A copy of every order made under sub-section (1) (b) shall be sent by the Officer Commanding the Brigade to the Officer Commanding the Division:

Provided that no allotment to any major head shall, by re-appropriation, be varied by more than 10 per cent of its original amount, except with the previous sanction of the Officer Commanding the Division also.

Payments.

34. (1) Every claim for payment from the cantonment fund shall be supported by a voucher, duly receipted and (if necessary) stamped, and shall be presented—

Examination and order for payment of claims.

(a) to the President of the Cantonment Committee; or

(b) if so directed by the Officer Commanding the Division, to the Secretary to the Cantonment Committee; or

(c) where there is no Cantonment Committee, to the Commanding Officer of the Cantonment.

(2) The President, Secretary or Commanding Officer, as the case may be, shall check and examine every claim presented under sub-section (1), and, if it is found correct and is supported by a voucher as aforesaid, shall sign an order for the payment thereof.

(3) If payment is to be made from the imprest, the order for payment shall be "Pay in cash rupees (in words)", and, if payment is to be made by cheque, the order shall be "Pay by cheque No. , dated , rupees (in words)", the blanks being filled up when the cheque is signed.

35. Payment shall be made—

Payments how to be made

(a) if the sum to be paid does not exceed twenty rupees, in cash; and

(b) if the sum to be paid exceeds twenty rupees, by cheque.

36. (1) Money may be drawn from the cantonment fund only by means of a cheque written in Form 4 in Schedule I.

Cheques.

(2) Every cheque shall be signed as follows:—

(a) where there is a Cantonment Committee,—

(i) if the sum to be paid does not exceed five hundred rupees, by the Secretary; or,

(ii) if the sum to be paid exceeds five hundred rupees, by the President;

(b) where there is no Cantonment Committee, by the Commanding Officer of the cantonment.

(3) Cheques drawn in favour of a Government officer shall be made payable to order, and cheques drawn in favour of any other person shall be made payable to bearer.

(4) All cheque forms shall be bound in books with counterfoils.

(5) Every cheque book shall bear a number, and each officer authorized by sub-section (2) to sign cheques shall notify to the treasury the number of the cheque book which he from time to time brings into use.

(6) On each cheque form there shall be entered the number of the cheque book in which the form is contained, and a consecutive number.

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(7) There shall be noted on the outside of each cheque book an order for its personal custody under lock and key by the officer who is authorized to use the book for the purpose of signing cheques; and, when such officer is relieved, he shall take a receipt for the number of cheque forms made over to the relieving officer and shall send to the treasury a specimen of the signature of the relieving officer.

(8) No cheque shall be current for more than three months from the date on which it was drawn. After the expiration of that period payment will be refused at the treasury, and it shall be necessary for the person in whose favour the cheque was drawn, to return it. In the event of a cheque being so returned, no fresh cheque will be issued, but the lapsed cheque shall be re-dated, and the alteration initialled, by the officer whose duty it would be, under sub-section (2), to sign the cheque, a note of the fact of re-dating being entered in the register of payments against the original transaction.

37. (1) The cantonment authority shall, where it has not already done so, draw from the treasury a sum not exceeding fifty rupees, or, if the Officer Commanding the Division with the previous concurrence of the Accountant General, so directs, a sum not exceeding two hundred rupees, to form an imprest for the purpose of meeting petty payments.

(2) The amount of petty payments met out of the imprest shall be recouped by cheque on the last day of each month, and, if necessary, during the month also, so that the full amount of the imprest, plus any sum received too late for remittance to the treasury on the last day of the month, shall always be shown in the monthly accounts as being in the hands of the cantonment authority.

38. Overdrafts on the cantonment fund shall be allowed only if sanctioned by the Officer Commanding the Division.

Overdrafts.

Receipts.

39. (1) All moneys received for credit to the cantonment fund shall be entered in a register of receipts and form of acknowledgment, to be kept in Form 1 in Schedule I, either directly or through a subsidiary register and, with the exception of grants-in-aid and fines, shall be acknowledged by receipts in Form 2 in the said schedule.

(2) All receipts granted by way of acknowledgment under sub-section (1) shall bear printed numbers in a consecutive series for each kind of receipt, and the number of every receipt so granted shall be entered in the second column of the register of receipts, or in the appropriate column of a subsidiary register.

40. The cantonment authority shall be responsible for making such arrangements as will secure—
Responsibility of cantonment authority as to receipts.

- (a) that all moneys received for credit to the cantonment fund are duly brought to credit in the accounts;
- (b) that all moneys so received, with the exception of grants-in-aid and fines, are duly acknowledged by receipts in the form prescribed by section 39, or by chalangis duly receipted by the Treasury Officer; and
- (c) that, whenever a receipt is given, the foil and counterfoil are duly filled up.

Account of the Imprest.

41. An account of the imprest shall be kept in an imprest-register in Form 6 in Schedule I, and the expenditure recorded in it shall be entered in a register of payments, to be kept in Form 5 in the said schedule, when a bill for the recoupment of the amount is made out and the amount is drawn from the treasury by cheque.

Imprest-register.

Bills for Expenditure.

42. (1) Every item of expenditure shall be entered in a bill of one of the following kinds, namely:—
Expenditure to be entered in bill.

- (a) an establishment pay bill—for the pay of members of the cantonment establishment;
- (b) a travelling allowance bill—for the travelling allowances of members of the cantonment establishment; or

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(c) a contingent bill—for all charges other than the pay and travelling allowances of members of the cantonment establishment.

(2) Every establishment pay bill and every travelling allowance bill shall be prepared in the form for the time being prescribed by the Civil Account Code.

(3) Every contingent bill shall contain full details of the charges incurred.

43 (1) Claims for supplies or services by contractors or tradesmen shall be paid on bills presented by them.
Claims by contractors or tradesmen.

(2) Where any such claim as aforesaid is paid by cheque, the payment shall be at once entered in the register of payments, and, where it is paid in cash, the payment shall be entered in the imprest-register.

(3) Where a contractor or tradesman presents his bill in the vernacular, a brief abstract shall be endorsed thereon in English, stating the amount, the name of the payee and the nature of payment in the terms prescribed by Article 9 (b) of the Civil Account Code.

44. (1) All petty charges to be met from the imprest shall be entered in bills prepared in the form for the time prescribed by the Civil Account Code.
Petty charges to be met from the imprest.

(2) Such bills as aforesaid shall be supported,—

(a) in the case of a payment for a telegram or of any other sum exceeding ten rupees, by the original voucher on which the payment was actually made; and,

(b) in other cases, by a certificate that the receipts of the payees have, as far as possible, been obtained, and have been so destroyed, defaced or mutilated that they cannot be used again.

(3) The certificate referred to in clause (b) of sub-section (2) shall be signed by the Secretary to the Cantonment Committee, or, if there is no Cantonment Committee, by the Commanding Officer of the Cantonment.

45. (1) All charges incurred direct by the cantonment authority and paid by cheque, shall be entered in bills prepared in the form for the time prescribed by the Civil Account Code.
Charges incurred direct by cantonment authority.

(2) The following certificate shall be recorded at the foot of every such bill and signed by the Secretary to the Cantonment Committee, or, if there is no Cantonment Committee, by the Commanding Officer of the Cantonment, namely:—

"I certify that the expenditure charged in this bill could not, with due regard to the interest of the cantonment, be avoided. I have satisfied myself that the charges entered in this bill have really been paid."

(3) In the case of expenditure on Public Works, the usual completion certificate shall be furnished.

Entry of Cheques in Accounts.

Entry of payments by cheque.

being numbered in a monthly consecutive series.

46. All payments made by cheque shall be entered in the register of payments, the vouchers

47. Where a cheque is cancelled, the amount thereof shall be deducted from the expenditure by a minus entry in the appropriate column of the register of payments. The deduction shall then pass into the cash book through the daily total of payments carried into it.
Deduction of amount of cancelled cheques.

Accounts and Returns.

48. The cantonment authority shall keep a cash book in Form 7 in Schedule I. The cash book shall be balanced monthly, and the balance shown in it reconciled with that shown in the pass book, to be kept in Form 3 in the said schedule, as follows:—
Cash book.

Balance as per pass book	...	...	...
Add—			
Amount of imprest
Money received too late for remittance to treasury
Total

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Balance as per cash book

Cheques outstanding on—

No. Date. Amount.

"

"

"

Total

49. (1) In the registers of receipts and payments the amounts sanctioned in the budget estimate for the year shall be entered at the top of the columns for the heads for which separate estimates are made.

(2) Where, during the year or in any revised estimate which may be sanctioned for the year, any addition to or alteration in the budget estimate is made, such addition or alteration shall be noted in the appropriate register in red ink, with a plus or minus sign, the order therefor being cited.

50. (1) At the end of each month the figures in the registers of receipts and payments shall be added up, the totals up to the end of the last preceding month being added to those of the month just expired and grand totals being made from the first day of April last preceding.

(2) Where the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application shall at once be made for orders under section 30, clause (b), or section 33, as the circumstances may require, to cover the excess.

51. (1) The accounts of the cantonment fund will be audited locally by the staff of the Examiner or Inspector of Local Fund Accounts on behalf of the Accountant General every year. To facilitate audit, all vouchers, with all sub-vouchers above Rs. 10 attached to them, should be numbered in monthly series and filed in monthly files for the several months. These vouchers, all registers maintained in the cantonment office, and all other documents required for purposes of audit, should be produced whenever called for by the auditors, and any explanation required by those officers for the settlement on the spot of objections raised should be furnished without delay.

(2) The Examiner or Inspector of Local Fund Accounts will submit a report on the audit to the Accountant General, who will forward copies thereof with his remarks to the President, Cantonment Committee, the Officer Commanding the Division, and the Quarter Master General in India for necessary action.

The audit report should contain the following certificate:—

'Certified that a copy was kept in my office of the annual account for the year submitted to the Officer Commanding the Division, with my endorsement No. , dated— and that the account has been compared with local records and found correct subject to the following remarks.'

(3) The Examiner or Inspector of Local Accounts will inspect the cantonment fund offices during his tours of inspection to ascertain if the past audits by his staff have been properly conducted and to see if the accounts of the fund are being kept according to the prescribed rules. He should also advise the cantonment authorities on financial matters generally if necessary.

(4) All cases of fraud or embezzlement should at once be reported to the Accountant General, who will at his discretion depute an auditor to investigate into the case and report to the Officer Commanding the Division the result of the enquiry.

Exception.—The provisions of this section do not apply to the Aden Cantonment Fund, the accounts of which are audited by the Accountant General, Bombay.

52. (1) The cantonment authority shall prepare annually a consolidated account showing the receipts into, and payments from, the cantonment fund, classified under the major heads, minor heads and sub-heads contained in the monthly accounts.

(2) The total of the details under each head of receipts and payments, as given in the consolidated account, shall agree exactly with the figures appearing against the entry "From 1st April to date" under the same heads in the respective registers.

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(3) The consolidated account shall be forwarded in duplicate to the Examiner or Inspector of Local Accounts, who will compare the two copies and forward one copy to the Officer Commanding the Division, retaining the other copy in his own office for check by the local auditors during audit with a view to furnishing the certificate of correctness.

Exception.—The provisions of sub-sections (2) and (3), so far as they relate to the local audit of accounts, do not apply to the Aden Cantonment Fund.

Classification.

53. (1) All receipts into, and expenditure from, the cantonment fund shall be classified, in the monthly and annual accounts, in accordance with Form 8 in Schedule I.

Classification of receipts and expenditure.

(2) All expenditure shall be classified in the monthly accounts under the appropriate major heads, minor heads and sub-heads with reference to the nature of the charge, whether specific budget provision exists or not; and no expenditure, which from its nature properly falls under one of the other prescribed heads, shall be classified under the head "Miscellaneous" on the ground that there is no specific budget provision for the charge.

Explanation.—Every permanent advance to a cantonment fund receiving a grant-in-aid under section 28, shall be held outstanding in the military accounts until the fund becomes self-supporting, and the advance shall then merely be shown as a balance in the hands of the cantonment authority.

Remittance to Treasury and Pass Book.

54. The cantonment authority shall remit to the treasury all moneys received for credit to the cantonment fund:

All moneys to be remitted to treasury.

55. (1) Remittances to the treasury may be made either daily or weekly as may be most convenient:

Procedure for remittances to treasury.

Provided that all moneys in hand on the last working day of each month shall be remitted on that day.

(2) Every remittance shall be accompanied by a chalan or invoice and by the pass book.

(3) Where a remittance is made, the officer in charge of the treasury shall forthwith acknowledge its receipt by an entry in the pass book, and shall enter on the charge side of the pass book particulars of cheques paid up to date as recorded in his register.

(4) The pass book shall be sent to the treasury on the last working day of each month, whether or not there are any moneys to be remitted to the treasury on that day. The officer in charge of the treasury shall then close the pass book for the month, and enter therein in words the balance in hand, signing the entry.

56. (1) The cantonment authority shall from time to time examine the pass book and shall forthwith call the attention of the officer in charge of the treasury to any discrepancy appearing between the credits or debits shown therein and those shown in its registers.

(2) The pass book shall be written up only by the officer in charge of the treasury or by some member of his establishment, and no entries or marks shall be made therein by the cantonment authority, or by any member of the cantonment establishment.

57. In addition to the forms above prescribed the cantonment authorities of the cantonments in the Madras Presidency, the funds of which are subject to local audit by the Accountant General, Madras, shall maintain registers in the forms specified in Schedule II, or in such other forms as may from time to time be prescribed in substitution thereof for adoption in the district municipalities of the said Presidency.

Abstract Statements of Estimated and Actual Income and Expenditure.

58. The Officer Commanding the Division shall forward to the Government of India, in the Army Department, through the Quarter Master General in India:—

Abstract statements of estimated and actual income and expenditure.

(a) An abstract statement of the estimated income and expenditure from the several cantonment funds in his Division; and,

(b) as soon as possible after the close of each financial year, a statement showing under the several heads and sub-heads of receipt and expenditure set forth

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in Form 8, Schedule I, the actual income and expenditure of each of the cantonment funds in his Division for the preceding financial year, together with a certificate showing that the closing cash balance of each fund, as shown in the annual account prescribed by section 52, has been compared with the balance as shown in the treasury pass book and found to be correct.

Submission of proposals as to taxation.

59. All proposals made by the cantonment authority for the imposition, abolition or modification of any tax shall be submitted to the Officer Commanding the Division for transmission to the Local Government.

CHAPTER V.

CONTRACTS.

33 & 34 Vict.
c. 59.

60. Every contract made by the cantonment authority shall be executed on its behalf by the officer authorized by the Governor-General in Council so to execute it under section 2 of the East India Contracts Act, 1870.*

61. No lease or other contract, which is to remain in operation for more than twelve months, shall be executed on behalf of the cantonment authority without the previous sanction of the Officer Commanding the Division:

Sanction required to execution of contract to remain in operation for more than twelve months.

Provided that, where any such lease as aforesaid is a lease of land, the sanction of the Officer Commanding the Division shall not be given without the concurrence of the Local Government.

62. No contract for the execution of a work shall be executed on behalf of the cantonment authority unless it has been examined and approved of by the Executive Engineer:

Reference to Executive Engineer prior to execution of contracts for works.

Provided that, where a work is estimated to cost not more than five hundred rupees, the contract shall not be referred to the Executive Engineer unless the cantonment authority so directs.

63. The officer authorized, as provided by section 60, shall not execute on behalf of the cantonment authority any contract the value or amount of which exceeds one hundred rupees, without the previous sanction of—

Sanction of Cantonment Committee or Officer Commanding, Cantonment, required to execution of contracts exceeding one hundred rupees in value.

(a) the Cantonment Committee; or,

(b) where a Cantonment Committee has not been constituted or has ceased to exist or cannot be convened, the Commanding Officer of the cantonment:

Provided that, in case of urgency where there is a Cantonment Committee, the officer authorized as aforesaid may, with the previous sanction of the President of the Cantonment Committee, execute on behalf of the Cantonment Committee any contract the value or amount of which exceeds one hundred rupees but does not exceed two hundred rupees, and shall, in every such case, submit to the Cantonment Committee, at its next meeting, a report of his action and of the reasons therefor.

64. Every contract executed on behalf of the cantonment authority, the value or amount of which exceeds fifty rupees, except a contract for the sale of moveable property, shall be in writing: and, if the contract is for the execution of a work, it shall be prepared in the form in use for that purpose in the Public Works Department under the orders of the Local Government.

* As to the officers authorized under this Statute to execute contracts, see the following Resolution of the Government of India in the Home Department, namely:—

No. 1430—1450 Judicial, dated the 9th October 1911—Supplement to the Gazette of India, 1911.

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65. (1) The cantonment authority may direct that security be required for the fulfilment of any contract to be executed on its behalf, and that the whole or any part of the security be deposited before the contract is executed.

(2) Where any security is required under sub-section (1) it shall be of the nature specified in section 24, sub-section (2), and shall be of such amount as the cantonment authority may think fit.

(3) Where any security required as aforesaid has been given, the contract shall not be executed unless—

(a) it contains a clause specifying the nature and the amount of the security required; and

(b) any sum directed to be deposited has been lodged with the cantonment authority.

66. Nothing in this Chapter shall apply to any lease of land for the purposes of a building-site.

Saving of leases for building-sites.

CHAPTER VI.

NUISANCES AND SANITATION.

Nuisances.

67. (1) Whoever,—

Offences in road or public place.

(a) in any street or public place within the cantonment,—

(i) is drunk and disorderly, or drunk and incapable of taking care of himself; or

(ii) uses any threatening, abusive or insulting words, or behaves in a threatening or insulting manner, with intent to provoke a breach of peace, or whereby a breach of the peace is likely to be occasioned; or

(iii) exposes himself, or wilfully and indecently exposes his person; or

(iv) begs importunately for alms; or

(v) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound; or

(vi) carries meat exposed to public view; or

(vii) is found gaming; or

(viii) pickets animals or collects carts; or

(ix) being engaged in the removal of night-soil or other offensive matter or rubbish, neglects to sweep away or otherwise effectually remove any portion thereof that may spill or fall on to such street or public place; or

(x) without proper authority, affixes or causes to be affixed any bill, notice or other document upon any building, monument, post, wall, fence, tree or other thing; or

(xi) without proper authority, defaces, or writes upon, or otherwise marks, any building, monument, post, wall, fence, tree, or other thing; or

(xii) without proper authority, removes, destroys, defaces or otherwise obliterated any notice or other document put up or exhibited under this Code; or

(xiii) without proper authority, breaks, throws down or damages any direction-post, lamp, lamp-post or other thing maintained by the cantonment authority in such street or public place; or

(xiv) carries a corpse, or causes the same to be carried, without keeping it decently covered, or without taking due precaution to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood; or

(xv) carries night-soil or other offensive matter or rubbish at hours, or by roads, prohibited by the cantonment authority by public notice, or in any pattern of cart or receptacle which has not been approved, for the purpose by the cantonment authority, or who fails to close such cart or receptacle, when in use; or

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- (b) carries a corpse along a route prohibited by the cantonment authority by public notice; or
 - (c) deposits, or permits his servant to deposit, earth or materials of any description or any offensive matter or rubbish in any place not intended for the purpose on any street or public place, or waste or unoccupied land under the management of the cantonment authority; or
 - (d) having charge of a corpse, fails to bury, burn or otherwise lawfully dispose of the same within twenty-four hours after death; or
 - (e) makes any grave, or buries or burns any corpse, at an unauthorized place; or
 - (f) having entered or used a public conveyance under the circumstances or for any of the purposes mentioned respectively in section 189, fails to disinfect the same to the satisfaction of the cantonment authority; or
 - (g) keeps or uses, or knowingly permits to be kept or used, any place as a common gaming-house, or assists in conducting the business of any common gaming-house; or
 - (h) wilfully intrudes upon a place set apart for bathing purposes and incommodes persons lawfully using the same; or
 - (i) at any time or place prohibited by the cantonment authority by general or special notice, beats a drum or tom-tom, blows a horn or trumpet, or beats or sounds any brass or other instrument or utensil, or plays any music; or
 - (j) by singing, screaming or shouting, disturbs the public peace or order; or
 - (k) discharges firearms or lets off fireworks or fire-balloons, or flies kites, or engages in any game, in such a manner as to cause or be likely to cause danger or annoyance to persons passing by or dwelling or working in the neighbourhood, or risk of injury to property; or
 - (l) lets loose any horse or other animal so as to cause, or negligently allows any horse or other animal to cause, injury, danger, alarm or annoyance to any person; or
 - (m) suffers any ferocious dog to be at large without a muzzle; or
 - (n) sets on or urges any dog or other animal to attack, worry or put in fear any person; or
 - (o) being the occupier of any building or land in or upon which an animal dies, neglects, within three hours after the death of the animal or, if the death occurs at night, within three hours after sunrise, either—
to report the death to the Cantonment Magistrate or to some officer (if any) appointed by him to receive such reports, with a view to the removal and disposal of the carcass by the public conservancy establishments; or
to remove and dispose of the carcass in accordance with any general directions given by the cantonment authority by notice or any special directions given by the Cantonment Magistrate on receipt of such report as aforesaid;
or
 - (p) except with the written permission of the cantonment authority, stores or uses night-soil, manure, rubbish or any other substance emitting an offensive smell;
 - (q) uses or permits to be used as a latrine any place not so meant to be used;
- shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

(2) Whoever does not take reasonable means to prevent any child under the age of twelve years in his charge from easing himself in any street or public place within the cantonment, shall be punishable with fine which may extend to twenty-five rupees.

[Cf. United Provinces Municipal Act, 1900, section 123, and United Provinces Municipal Amendment Act, 1907.]

68. (1) The cantonment authority, by any person authorised by it in this behalf, may—

- (a) destroy, or cause to be destroyed, or confine, or caused to be confined, for such period as the cantonment authority may direct, any dog suffering, or reasonably suspected to be suffering from rabies, or bitten by any dog or other animal suffering or suspected as aforesaid;

(b) confine, or cause to be confined, any dogs found wandering about streets or public places without collars or other marks distinguishing them as private property, and charge a fee for such detention, and destroy or otherwise dispose of any such dog if it is not claimed within one week, and the fee paid;

(c) appoint from time to time by public notice, certain periods within which any ownerless dogs or any dogs without collars or any other marks distinguishing them as private property, found straying on the streets or beyond the enclosures of houses of the owners of such dogs, may be destroyed, and destroy or cause them to be destroyed accordingly.

(2) No damages shall be payable in respect of any dog destroyed or otherwise disposed of under this section.

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Explanation.—In this section the word 'house' includes a hut, shop, warehouse or building.

Sanitation.

69. The following officers shall, for the purposes of sanitation, have control over, and be responsible for, the sanitary condition of the parts of the cantonment hereinafter indicated, namely—

- (a) each Commanding Officer—his regimental lines, including the regimental bazar and all latrines used by the troops and followers under his command or control;
- (b) the Executive Engineer—all yards, works, workshops and other places used by the establishments under his charge;
- (c) the Senior Supply and Transport Officers—all cattle yards, slaughter houses, transport lines, and other places used by establishments, under their charge;
- (d) the head of any other Military or Civil Department occupying, as such, any part of the cantonment—all blocks of buildings, workshops and other places used by establishments under his charge;
- (e) the Cantonment Magistrate—the Sadar Bazar, all roads, and all other parts of the cantonment not under the control of any officer mentioned in clause (a), clause (b), clause (c) or clause (d).

70. (1) Every officer mentioned in section 69 shall forward to the cantonment authority a weekly sanitary report, stating that the parts of the cantonment over which he has control as aforesaid, have been inspected by him and are, in his opinion, in a sanitary condition or otherwise, as the case may be.

(2) Where any such officer as aforesaid reports that any part of the cantonment under his control is not, in his opinion, in a sanitary condition, he shall specify the defects and may make such suggestions for remedying the same as he may think fit.

71. The Sanitary Officer shall exercise a general sanitary supervision over the whole cantonment, shall report every insanitary practice and every insanitary condition of things, whenever or wherever existing therein, both to the officer responsible under section 69 and to the cantonment authority, and shall attach to his report such recommendations for the remedy of the same as he may think fit.

Cantonment Magistrate's duties in respect of sanitation.

72. The Cantonment Magistrate shall, subject to the other provisions of this Code and the control of the cantonment authority,—

- (a) make, and supervise the carrying out of, all arrangements (including the provision and maintenance of a sufficient number of animals, vehicles, receptacles and implements, and of places for keeping the same) necessary for—
 - (i) the removal of night-soil and other offensive matter and rubbish from latrines, urinals, streets and all other places, public and private, from which the removal of the same by the public conservancy establishments is directed by the cantonment authority;
 - (ii) the surface cleansing of all streets and the watering thereof; and
 - (iii) the maintenance in a sanitary condition of public and private latrines and urinals, of encamping-grounds and sarais, of public and private markets and slaughter-houses, of fair-grounds, of all sources of public water-supply and the lands in the vicinity thereof, of all other places likely to create a nuisance, and, generally, of every part of the cantonment other than the parts mentioned in clauses (a) to (d) of section 69;
- (b) make frequent inspections of all parts of the cantonment with a view to ensuring that all orders of the cantonment authority on sanitary matters are duly obeyed, and that the public conservancy establishments satisfactorily perform their duties; and
- (c) take all necessary steps for remedying any defects in the sanitary condition of the cantonment of which he may become aware and for which funds can be provided.

73. (1) So far as the funds at its disposal permit, the cantonment authority shall provide and maintain a sufficient number of public latrines and urinals, with all necessary conservancy establishments.

Provision and maintenance of public latrines and urinals and conservancy establishments.

The Cantonment Code, 1912.

(2) Such latrines and urinals shall be placed in proper and convenient situations, as near as circumstances admit to the dwelling-places or places of resort of the persons for whose use they are intended:

Provided that, except with the previous sanction of the Officer Commanding the Division, no latrine or urinal shall be placed within fifty feet, and no trench latrine shall be placed within two hundred feet, of any inhabited building.

(3) Separate latrines and urinals shall ordinarily be provided for males and females, or, if any latrine or urinal is provided for the use of both sexes, separate divisions shall be provided for each sex, and each such latrine, urinal or division shall be marked as being for the use of men only, or women only, as the case may be.

Directions as to provision of public latrines and establishments therefor.

74. (1) In providing public latrines the cantonment authority shall observe the following directions, namely:—

- (a) such number of latrines shall be provided as will admit of there being one compartment for the use of every fifteen adults using the latrines;
- (b) no latrine shall be constructed for the use of more than five hundred adults;
- (c) every latrine, other than a trench latrine, shall be provided with proper closed iron receptacles in the proportion of not less than two for every hundred adults using the latrine, and with not less than one iron or glazed earthen pan for each compartment;
- (d) for every latrine, other than a trench latrine, there shall be provided,—
 - (i) for the cleansing thereof, sweepers in the proportion of not less than one for every hundred adults using the latrine, and
 - (ii) for the removal of night-soil therefrom, air-tight iron filth-carts in the proportion of not less than one for every five hundred adults using the latrine, or, where carts cannot be used, sweepers in the proportion of not less than three for every five hundred adults using the latrine; and
- (e) for every trench latrine, there shall be provided digging-sweepers in the proportion of not less than one for every two hundred adults using the latrine:

Provided that, if in any case it is impracticable, owing to want of funds or for any other sufficient reason, fully to observe the foregoing directions, the Officer Commanding the Division may declare the extent to which they shall be observed.

(2) No public latrine shall be constructed or rebuilt except on a plan approved of by the Officer Commanding the Division.

75. The cantonment authority shall, whenever necessary, provide and maintain in proper and convenient positions receptacles or places for the temporary deposit of offensive matter and rubbish.

Receptacles or places for temporary deposit of offensive matter and rubbish.

Places for disposal of offensive matter and rubbish.

76. The cantonment authority shall appoint places for the disposal of night-soil, carcasses and other offensive matter and rubbish.

77. The Cantonment Magistrate may, by notice in writing,—

Cesspools, receptacles for filth, etc.

- (a) require any person having the control, whether as owner, lessee or occupier, of any land or building,—
 - (i) to close any offensive cesspool belonging to the land or building, or
 - (ii) to provide a receptacle (of a pattern, if any, approved of by the cantonment authority) for filth or sullage water accumulating on or in the land or building, or
 - (iii) to keep in a cleanly condition (in such manner, if any, as may be prescribed by the notice), any receptacle provided for such filth, or
 - (iv) to prevent the water of any private latrine, urinal, sink or bathroom, or any other offensive matter, from soaking, draining, flowing or being put from the land or building upon any street or public place or into any water-course or into any drain not intended for the purpose; or
- (b) require any person who has the control, whether as owner, lessee or occupier, of any land or building, and has allowed any offensive matter or rubbish to accumulate or remain thereon or therein, to collect the same and deposit it, for removal by the public conservancy establishment, at such times and in such receptacles or places, situate at not more than one hundred feet from the nearest boundary of the premises, as may be specified in the notice; or

The Cantonment Code, 1912.

- (c) require any person to desist from making or altering any drain leading into a public drain; or
- (d) require any person who is creating or likely to create a nuisance by—
 - (i) altering, obstructing or encroaching upon a public drain, or
 - (ii) impeding the flow of water owing to the absence of a culvert or the existence of an insufficient culvert under a path leading to his premises,
 to desist therefrom; or
- (e) require any person having the control of a drain to remove, within a period to be specified in the notice, any obstruction from the same, or to cleanse, purify, repair or alter the same or otherwise put it in good order; or
- (f) require any person, being the owner, or having the control of any well, to disinfect or otherwise purify the same or protect it against contamination, in such manner and within such period as may be specified in the notice.

Private latrines.

78. The cantonment authority may, by notice in writing,—

- (a) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or
- (b) where any plan for the construction of private latrines or urinals has been approved of by the cantonment authority and copies thereof may be obtained free of charge on application,—
 - (i) require any person repairing or constructing a private latrine or urinal not to allow the same to be used until it has been inspected by or under the direction of the Cantonment Magistrate and approved of by him as conforming with that plan, or
 - (ii) require any person having the control of a private latrine or urinal to rebuild or alter the same in accordance with that plan; or
- (c) require the owner or other person having the control of any private latrine or urinal which, in the opinion of the cantonment authority, creates a nuisance, to remove the latrine or urinal, and to substitute fresh earth, to such a depth, not exceeding two feet, as may be specified in the notice, for the earth on which the latrine or urinal stood; or
- (d) require any person having the control, whether as owner, lessee or occupier, of any land or building,—
 - (i) to have any latrine provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling or working in the neighbourhood, or
 - (ii) to cleanse with deodorants any latrine or urinal belonging to the land or building; or
- (e) where any land or building is situate within one hundred feet of a public drain or other place set apart for the discharge of drainage and the drains belonging to the land or building are, in the opinion of the cantonment authority, insufficient, require any person having control of the land or building, whether as owner or lessee, or, in the case of neighbouring lands or buildings, the several lessees or owners having control of the lands or buildings, conjointly, to provide sufficient drainage within fifteen days from the service of the notice; or
- (f) require any person who is constructing or laying a drain, to obey any directions which the cantonment authority may, on the advice of the Executive Engineer, think fit to give in order to ensure the completion of the work to its satisfaction; or
- (g) require any person, being the owner and having the control of any drain, to provide and apply to the same, within ten days from the service of the notice, such covering as may be specified in the notice.

79. (1) The cantonment authority may, by notice in writing, require the owner or lessee of any building or land, in such manner

Provision of latrines, etc.

as may be specified in the notice, to remove or provide any latrine, urinal, cesspool or other receptacle for filth, or to provide any additional latrines, urinals, cesspools or other receptacles as aforesaid which should in its opinion be provided for the building or land. (Cf. Act III of 1911, s. 125.)

The Cantonment Code, 1912.

(2) The cantonment authority may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit, and to cause the same to be kept in proper order and to be daily cleansed.

80. (1) The cantonment authority may provide for the performance by its agents of the duties usually performed by sweepers in respect of any building or land, or of any latrine, urinal, cesspool or other receptacle for filth or sullage water pertaining to any building or land, with the consent of the occupier of the building or land, or without such consent where the occupier fails to make arrangements to the satisfaction of the cantonment authority for the performance of such duties.

[Cf. Act XVI of 1903, s. 82 and Act III of 1911, s. 164.]

(2) Where the cantonment authority has provided for the performance by its agents of the duties referred to in this section, all matter removed by such agents in performing such duties shall be at the disposal of that authority.

81. The cantonment authority may, by notice in writing, require the owner, lessee or occupier of any land to clear away, and remove any thick or noxious vegetation or undergrowth which appears to it to be injurious to health or offensive to the neighbourhood.

Removal of noxious vegetation.

82. Where any tank, marshy ground or waste or stagnant water, whether within any private enclosure or not, is in such a condition as to create a nuisance, the cantonment authority may, by notice in writing, require the owner, lessee or occupier of the land, within thirty days from the service of the notice to fill up the tank or ground, or to drain off or remove the water, as the case may be:

Filling up of tank or marshy ground or draining off or removal of stagnant water.

Provided that, if, in the opinion of the cantonment authority, it is unreasonable to throw the whole expense on the owner, lessee or occupier, it may, with the previous sanction of the Officer Commanding the Division, require him to pay only a proportion of the expense.

83. (1) Where it appears to the cantonment authority that any block of buildings is, by reason of the manner in which the buildings are crowded together, in an unhealthy condition, it may cause the block to be inspected by a special committee consisting of—

Removal of overcrowded buildings.

- (a) the Sanitary Officer,
- (b) the Civil Surgeon of the district, or, if his services are not available, some other medical officer of the Government, and
- (c) the Executive Engineer, or some person deputed by the Executive Engineer in this behalf.

(2) The special committee shall make a report in writing to the cantonment authority on the sanitary condition of the block; and, if it considers that the overcrowded condition thereof is likely to cause risk of disease to the inhabitants of the buildings or of the neighbourhood, or to endanger the public health, it shall clearly indicate, on a plan verified by the Executive Engineer or by the person deputed by him to serve on it, the buildings which should, wholly or in part, be removed in order to abate the unhealthy condition of the block.

(3) If upon receipt of such report, the cantonment authority is of opinion that all or any of the buildings indicated should be removed, it may, by notice in writing, require the owners thereof to remove them:

Provided, first, that the cantonment authority shall make compensation to such owners for any buildings which may have been erected under proper authority: and

Provided, secondly, that the cantonment authority may, if it appears to it to be equitable under the circumstances to do so, pay to such owners such sum as it may think fit as compensation for any buildings which may not have been erected under proper authority.

(4) The sum payable as compensation under the first proviso to sub-section (3) may be settled by mutual agreement between the cantonment authority and such owners as aforesaid, or, in default of agreement, by a committee of arbitration constituted as provided in Chapter XX.

Explanation.—In this section, the word “buildings” includes enclosure-walls or fences connected with buildings.

84. Where it appears to the cantonment authority that any building used as a dwelling is so overcrowded as to endanger the health of the inmates thereof it may, after such inquiry as it thinks fit, by notice in writing, require the

Reduction of number of inmates of overcrowded dwelling.

The Cantonment Code, 1912.

owner or occupier, within a time to be specified in the notice, to abate the overcrowding of the building by reducing the number of lodgers, tenants or other inmates.

85. (1) Where any building is so ill-constructed or dilapidated as to be, in the opinion of the cantonment authority, in an insanitary state, the cantonment authority may, by notice in writing, require the owner, within a time to be specified in the notice, to execute such repairs, or to make such alterations, as it may think necessary in order to remove such defects.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted on the building to which the notice relates.

Explanation.—A notice issued under sub-section (1) shall be deemed to have been complied with if the owner of the building to which it relates, has, instead of executing the repairs or making the alterations directed by the notice, removed the building.

86. (1) The Cantonment Magistrate may, by notice in writing, require the owner, [Cf. Act III of 1911, s. 115.] lessee or occupier of any building or land which appears to him to be in a filthy or unwholesome state, within twenty-four hours to cleanse the same or otherwise put it in a proper state in such manner as may be specified in the notice.

(2) If within three months from the date of the service of a notice under sub-section (1) the Cantonment Magistrate finds any building or land in respect of which the notice was issued, in a filthy or unwholesome state, the owner, lessee or occupier shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees.

87. Whoever fails to comply with a notice issued under any of the provisions of sections 77 to 86, shall be punishable with fine which may extend to fifty rupees, and, in the case of continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

CHAPTER VII.

CONTROL OVER STREETS, BUILDINGS, LANDS, TREES, ETC.

Streets and Buildings.

88. The cantonment authority may attach to the outside of any building brackets for lamps in such manner as not to occasion any injury thereto or inconvenience. [Cf. Act III of 1911, s. 176.]

89. The cantonment authority may, by order in writing, permit the temporary occupation of any street, or land vested in it, for the purpose of depositing any building materials, or making any temporary excavation therein or erection thereon subject to such conditions as it may prescribe for the safety or convenience of persons passing by or dwelling in the neighbourhood, and may charge fees for such permission, and may, in its discretion, withdraw the permission.

90. (1) The cantonment authority may cause a name to be given to any street, and to be affixed on any building in such place as it may think fit, and may also cause a number to be affixed to any building; and may, from time to time, cause such names and numbers to be altered. [Cf. Act III of 1911, s. 179.]

(2) Whoever destroys, pulls down or defaces any such name or number or puts up any name or number differing from that put up by order of the cantonment authority, shall be punishable with fine which may extend to twenty rupees.

91. The cantonment authority may, by public notice, direct that within certain limits, to be fixed by the notice, the roofs and external walls of huts or other buildings shall not, without its permission in writing, be made or renewed of grass, mats, leaves or other highly inflammable materials, and may, by notice in writing, require any person, who has disobeyed any such direction as aforesaid, to remove or alter the roofs or walls so made or renewed as it may think fit. [Cf. Act III of 1911, s. 181.]

92. (1) Whoever, except in such a case as is provided for by Chapter XXI, intends to erect or re-erect any building shall give notice in writing, in the manner hereinafter prescribed, of his intention to the cantonment authority, and the cantonment authority may, within six weeks after the receipt of the notice, refuse to sanction the building, or may sanction it [Cf. Act III of 1911, ss. 189, 193, 194, 195.]

The Cantonment Code, 1912.

either absolutely or subject to such directions as it may think fit to issue in writing in respect of all or any of the following matters, namely:—

- (a) the free passage or way to be left in front of the building;
- (b) the space to be left about the building to secure free circulation of air and facilitate scavenging and the prevention of fire;
- (c) the ventilation of the building, the minimum cubic area of the rooms, and the number and height of the storeys of which the building may consist;
- (d) the provision and position of drains, latrines, urinals, cesspools or other receptacles for filth;
- (e) the level and width of the foundation, the level of the lowest floor and the stability of the structure;
- (f) the line of frontage with neighbouring buildings, if the building abuts on a street; and
- (g) the means to be provided for egress from the building in case of fire,

and the person erecting or re-erecting the building shall obey all such written directions:

Provided that the cantonment authority shall make full compensation to the owner for any damage which he may sustain in consequence of its prohibition of the re-erection of any building, or of its requiring any land belonging to him to be added to the street.

(2) Whoever gives notice to the cantonment authority under sub-section (1), shall, along with the notice, forward a plan and specification of the building which he intends to erect or re-erect, together with a site-plan of the land of such character and with such details as the cantonment authority may require; and no such notice shall be valid until such plans and specification have been supplied. The notice shall specify the purpose for which it is intended to use the building.

(3) Where any building is begun or erected without the giving of the notice and the submission of the plans and specification required by this section, or in contravention of any order of the cantonment authority issued within six weeks of the receipt of a valid notice thereunder, the cantonment authority may, by notice in writing, to be delivered within a reasonable time, require the building to be altered or demolished as it may think necessary.

(4) Where the cantonment authority neglects or omits for six weeks after the receipt of a valid notice under this section to make and deliver to the person who has given the notice, any order in respect thereof, it shall be deemed to have sanctioned the proposed building absolutely.

(5) Every sanction for the erection or re-erection of a building given or deemed to have been given by the cantonment authority as aforesaid shall be available for one year from the date on which the notice became valid and complete, and no longer; and, if the building so sanctioned is not begun by the person who has obtained the sanction, or some one lawfully claiming under him, within that period, it shall not thereafter be begun without fresh sanction; but such person as aforesaid may at any subsequent time give fresh notice to the cantonment authority in the manner hereinbefore prescribed, and thereupon the provisions hereinbefore contained shall apply to the fresh notice.

Provided that no sanction under section 92 shall act as a bar to any proceedings under sections 77 to 87.

Explanation.—In this section the expression “erect or re-erect any building” includes—

- (a) any material alteration or enlargement of any building;
- (b) the conversion into a place for human habitation of any building not originally constructed for human habitation;
- (c) the conversion into more than one place for human habitation of a building originally constructed as one such place;
- (d) the conversion of two or more places of human habitation into a greater number of such places;
- (e) the conversion into a stable, cattleshed or cowhouse of any building originally constructed for human habitation;
- (f) such alterations of the internal arrangement of a building as affect an alteration of its drainage or sanitary arrangements, or affect its security; and
- (g) the addition of any rooms, buildings, out-houses or other structures to any building.

The Cantonment Code, 1912.

93. (1) The owner or occupier of a building shall not, without the permission in writing of the cantonment authority, add to, or place against or in front of, the building, any projection or structure overhanging, projecting into, or encroaching on, any street, or into or on any drain, sewer or aqueduct therein. [Cf. Act III of 1911, ss. 172, 173.]

Projections and obstructions.

(2) The cantonment authority may, by notice in writing, require the owner or occupier of any building to alter or remove any such projection or encroachment as aforesaid:

Provided that, in the case of any projection or encroachment lawfully in existence at the commencement of this Code, the cantonment authority shall make reasonable compensation for any damage caused by the removal or alteration.

(3) The cantonment authority may, by order in writing, give permission to the owners or occupiers of buildings in any particular street to put up open verandahs, balconies or rooms projecting from any upper storey thereof to an extent beyond the line of the plinth or basement-wall, and at a height from the level of the ground or street, to be specified in the order.

94. The cantonment authority may, by notice in writing, require the owner or lessee of any building or land in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the building or land and for discharging the same so as not to inconvenience persons passing along the street. [Cf. Act III of 1911, s. 140.]

Troughs and pipes for rain water.

95. The cantonment authority may, by notice in writing, require any person who has, without its permission in writing, newly erected or re-erected any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the same as it may think fit. [Cf. Act III of 1911, s. 127.]

Unauthorized buildings over drains, etc

96. Where any building, well, tank, reservoir, pool, depression or excavation is, in the opinion of the cantonment authority, for want of sufficient repair, protection or enclosure, as the case may be, dangerous to persons passing by or dwelling or working in the neighbourhood, the cantonment authority may, by notice in writing require the owner or occupier thereof to repair, protect or enclose the same; and if there is, in the opinion of the cantonment authority, imminent danger, it shall forthwith take such steps to avert the danger as it may think necessary. [Cf. Act III of 1911, s. 113.]

Power to require buildings, wells, tanks, etc., to be secured.

97. Where any building, wall or structure, or anything affixed thereto, or any bank or tree, is, in the opinion of the cantonment authority, in a ruinous state or in any way dangerous either, in the case of an occupied building to the occupier or to the public, the cantonment authority may, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made as it may think necessary for the safety of the occupier or of the public, and, if there is, in the opinion of the cantonment authority, imminent danger, it shall forthwith take such steps to avert the danger as it may think necessary. [Cf. Act III of 1911, s. 114.]

Building, etc., in ruinous or dangerous state.

98. The Cantonment Magistrate may, by notice in writing, require the owner or part-owner, or person claiming to be the owner or part-owner, of any building or land, or the lessee or person claiming to be the lessee of any land, which, by reason of abandonment or disputed ownership or other cause, has remained untenanted and become a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a time to be specified in the notice. [Cf. Act III of 1911, s. 119.]

Power to require untenanted building or land becoming a nuisance to be secured or enclosed.

Boundaries, Trees, etc.

99. (1) The cantonment authority may, by public notice, prohibit the construction of boundary-walls, hedges or other fences of any material or description which is, in its opinion, unsuitable, unsightly or otherwise objectionable. [Cf. Act III of 1911, s. 119.]

Boundary-walls, hedges and fences.

(2) The cantonment authority may, by notice in writing, require the owner or lessee of any land—

- (a) to remove from the land any boundary-wall, hedge or other fence which is, in its opinion, unsuitable, unsightly or otherwise objectionable;
- (b) to construct on the land sufficient boundary-walls, hedges or other fences of such material, description and dimensions as may be specified in the notice;
- (c) to maintain the boundary-walls, hedges or other fences on the land in good order.

The Cantonment Code, 1912.

Explanation.—In this section, the expression "boundary-walls, hedges or other fences" includes all necessary gates and the posts or pillars thereof.

100. The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any land within three days to cut or trim any hedges on the land in such manner

Cutting or trimming of hedges.
as may be specified in the notice.

101. No general felling of trees, and no general lopping or trimming of trees in a manner likely to cause permanent injury thereto, shall be ordered by the cantonment authority without the previous sanction of the Commander-in-Chief in India.

102. (1) No tree of mature growth, whether standing in any private enclosure or not, shall be felled without the previous sanction of the cantonment authority.

Felling of trees of mature growth.

(2) Where, in the opinion of the cantonment authority, the felling of any tree of mature growth standing in a private enclosure is necessary for sanitary reasons, the cantonment authority may, by notice in writing, require the owner, lessee or occupier of the land to fell the tree within a time to be specified in the notice.

103. The cantonment authority may—

Power to require lopping or trimming of trees.

(a) cause to be lopped or trimmed any trees standing on land belonging to the Government; or

(b) by public notice, require all owners, lessees or occupiers of land, or, by notice in writing require the owner, lessee or occupier of any land, to lop or trim, in such manner as may be specified in the notice, all or any trees standing on such land and to remove any dead trees from such land.

104. (1) Where, in the opinion of the cantonment authority, the cultivation of any description of crop, or the use of any kind of manure, or the irrigation of land in any specified manner, is for any reason undesirable the cantonment authority may, by public notice, prohibit such cultivation, use or irrigation after a certain date to be specified in the notice:

Provided that, if when a notice is issued under this section, any land to which it relates has been lawfully prepared for cultivation or any crop is sown therein or is standing thereon, the cantonment authority—

(a) may, subject to such conditions as it may think fit to impose, postpone the date from which the notice is to take effect: or

(b) may, if it appears to it to be equitable under the circumstances to do so and whether or not it postpones the date from which the notice is to take effect, pay to any person interested in the land or crop such sum as it may think fit as compensation for any loss incurred by reason only of his having complied with the notice: and

(c) shall, if it directs that the notice is to take effect without delay, make compensation to all persons interested in the land or crop for any loss incurred by reason only of their having complied with the notice.

(2) The sum payable as compensation under clause (c) of the proviso to sub-section (1) may be settled by mutual agreement between the cantonment authority and such person or persons as aforesaid, or, in default of agreement by a committee of arbitration constituted as provided in Chapter XX.

105. The Cantonment Magistrate may, by notice in writing, require the owner, lessee or occupier of any land to abstain from the improper use of the same, whether by quarrying, or by removing earth, sand, stone or gravel, or by digging a tank, well or pit and may require him, by notice in writing, to restore the land to the condition it was in previous to such improper use:

Provided that, where such use of the land has continued for thirty days, the owner, lessee, or occupier shall not be required so to restore the land to its previous condition.

106. Whoever, without the permission in writing of the cantonment authority, digs up the surface of any public land, shall be punishable with fine which may extend to twenty rupees.

Digging up of public land.

Penalties.

107. Whoever fails to give notice as required by section 92 (1), or fails to comply with any notice issued under this chapter, shall be punishable with fine which may extend to fifty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five

Penalties.

The Cantonment Code, 1912.

rupees for every day after the first in regard to which he is convicted or having persisted in the failure.

CHAPTER VIII.

CONTROL OVER SARÁIS, ENCAMPING-GROUNDS, TRAFFIC, ETC.

*Saráis.**Duties of keepers of saráis.*

108. (1) Every keeper of a sarái shall be bound,—

- (a) if to his knowledge any person in the sarái is ill of any infectious or contagious disorder, or has died of any such disorder, to make an immediate report of the fact to the Cantonment Magistrate;
- (b) to maintain a sufficient supply of pure water for the use of persons frequenting the sarái;
- (c) to keep all parts of the sarái in a clean and sanitary condition; and
- (d) to give any information which the Cantonment Magistrate may, by notice in writing, require regarding—
 - (i) the boundaries of the sarái, and
 - (ii) any matters affecting its management and condition.

(2) Whoever fails to give the Cantonment Magistrate any information required under this section or wilfully gives him false information, shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

109. (1) The Cantonment Magistrate may, by notice in writing, require any keeper of a sarái to report to him, or to any person whom he may appoint in this behalf, either orally or in writing as may be directed in the notice, the name and description, or the names and descriptions, of any person or persons who resorted to the sarái during any period, to be specified in the notice.

(2) Where a written report is required, the form in which the same is to be furnished may be specified in the notice.

(3) Whoever fails to comply with any notice issued under this section or wilfully makes a false report thereunder, shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

110. (1) Where the keeper of a sarái commits a breach of any of the provisions of sections 108 and 109, the cantonment authority may, in addition to any punishment which may be inflicted thereunder, by notice in writing, require that the sarái be closed to the use of the public.

(2) A notice issued under sub-section (1) shall be cancelled and cease to have effect, if the keeper of the sarái satisfies the cantonment authority that no such breach as aforesaid would be likely to occur in the event of the sarái being re-opened to the use of the public.

111. The provisions of sections 108, 109 and 110 shall not apply to any cantonment to which the Saráis Act, 1867, for the time being ^{XXII of 1867.} extends.

Saving of Saráis Act, 1867.

Encamping-grounds, etc.

112. (1) No place in the cantonment shall be used as an encamping-ground or for the pitching of tents without the permission in writing of the cantonment authority.

Encamping-grounds and pitching of tents.

(2) Such permission as aforesaid may be granted subject to any conditions which the cantonment authority may think fit to impose with respect to sanitary arrangements and other matters affecting the public health, safety or convenience.

Markets and Slaughter-houses.

113. No person shall in any market sell, or expose for sale, any article of food or drink for human consumption which is unfit therefor.

Sale in markets of articles unfit for human consumption.

The Cantonment Code, 1912.

114. (1) The cantonment authority may, by public notice, limit the hours during which any market may be kept open for public use.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in each market to which the notice relates.

115. The Sanitary Officer and the Cantonment Magistrate shall frequently inspect—
Sanitary Officer and Cantonment Magistrate to inspect markets

(a) articles of food and drink for human consumption kept for sale in markets;

(b) the water-supply of markets;

(c) the arrangements for the removal of and disposal of offensive matter and rubbish from markets; and

(d) all other arrangements for maintaining markets in a proper sanitary condition.

116. The cantonment authority may, by public notice, prohibit the sale or exposure for sale, of any animal or article, or class of animals or articles, in any public market.
Power to prohibit or restrict sales in public markets.

117. Where the owner or the person in charge of a private market applies for a license therefor, such license shall be granted on payment of the prescribed fee, if any, by the Cantonment Magistrate on his being satisfied—
Licensing of private markets.

(a) that convenient passages have been provided between the shops, stalls, sheds or standings in the market;

(b) that a sufficient supply of pure water is provided for the market;

(c) that, in the case of a large market, one or more public latrines, at a distance of not less than fifty yards from the market, and one or more public urinals, according to requirements, are provided for the use of persons frequenting the market; and

(d) that suitable arrangements are made for—

(i) keeping the market in a clean and sanitary condition and removing offensive matter and rubbish therefrom,

(ii) the proper ventilation of the buildings and structures in the market, and

(iii) the proper maintenance of the public latrines and urinals (if any) provided for the use of persons frequenting the market.

118. No private market shall, after the commencement of this Code, be opened to public use until it has been licensed.
New private markets to be licensed.

Power to require existing private markets to be licensed.

119. (1) The cantonment authority may require,—

(a) by notice in writing, the owner or the person in charge of any private market in existence at the commencement of the Cantonment Code, 1899, or,

(b) by public notice, the owners or the persons in charge of any class of such markets,

to furnish, within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be required for any such market.

(2) On the expiration of such time as aforesaid the cantonment authority shall determine, in respect of each market to which the notice relates, whether or not it is necessary to require a license.

(3) Where the cantonment authority determines that a license shall be required for any such market and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing, require the owner or the person in charge of the market to close the same until a license has been obtained.

Duties of owners or persons in charge of licensed markets.

120. The owner or the person in charge of a licensed market shall be bound—

(a) to maintain convenient passages between the shops, stalls, sheds or standings in the market;

(b) to maintain a sufficient supply of pure water for the market;

(c) to keep the market in a cleanly and sanitary condition and to remove all offensive matter and rubbish therefrom; and

The Cantonment Code, 1912.

- (d) to maintain in good order any public latrines or urinals which may have been provided for the use of persons frequenting the market.

121. (1) Where the owner or the person in charge of a licensed market commits a breach of any of the provisions of sections 114 and 120, the cantonment authority may, in addition to any punishment which may be inflicted under this Code, by order in writing, suspend the license for any period to be specified in the order, or withdraw the license.

Power to suspend or withdraw licenses for markets.

(2) No market for which a license has been granted under this Chapter, shall be kept open for public use while the license therefor is suspended or after the same has been withdrawn.

(3) A copy of every order made under sub-section (1) shall be conspicuously posted in the market to which the order relates.

122. The Cantonment Magistrate shall maintain a register of all private markets which have been licensed under this Chapter, showing—

Register of private markets.

- (a) the date on which the license was issued ; and
(b) where the license has been suspended, the date and period of the suspension ; or,
(c) where the license has been withdrawn, the date of the withdrawal.

123. Whoever, knowing that a license granted for a private market is for the time being suspended or has been withdrawn, sells or exposes for sale therein any meat, fish, milk, fruit, vegetables or other perishable articles of food for human consumption, shall be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees.

Selling in private market when license suspended or withdrawn.

124. (1) Subject to the provisions of sub-section (2), no person shall, without or otherwise than in conformity with the terms of a license granted by the Cantonment Magistrate in this behalf, use any place as a slaughter house or for the slaughtering of any cattle, sheep, goats or pigs intended for human food.

Restrictions on slaughtering without a license.

(2) Nothing in sub-section (1) shall be deemed—

- (i) to restrict, subject to such conditions as to prior or subsequent notice as the Cantonment Magistrate, with previous sanction of the District Magistrate, may, by general or special order, impose in this behalf, the slaughter of any animal in any place on the occasion of any festival or ceremony ; or
(ii) to prevent the Cantonment Magistrate, acting with the sanction of the cantonment authority, from setting apart places for the sacrifice of animals in accordance with religious custom and for the sale of flesh thereof ; or
(iii) to limit or otherwise affect the right to slaughter, in or upon private premises, a kid intended solely for domestic consumption.

(3) No fee shall be chargeable upon any license granted under this section.

125. (1) Whoever—

Penalties for contravening section 124.

- (a) uses any place in contravention of section 124, or
(b) omits to give any notice required by any order made in pursuance of sub-section (2), clause (i), of the said section,

shall be punishable with fine which may extend to fifty rupees ; and

(2) Whoever, after having been convicted of an offence punishable under sub-section (1), clause (a), of this section, continues to contravene any provision of section 124, shall be punishable, for each day after the first during which he continues so to offend, with a fine which may extend to twenty-five rupees.

Management of slaughter-houses generally.

126. Where the cantonment authority has made or approved of any arrangements for—

- (a) passing and marking animals in a slaughter-house as being suitable for slaughter, or
(b) regulating the admission into a slaughter-house of persons carrying on business or trade or working for gain therein, or regulating the conduct of such persons therein,

the owner or the person in charge of the slaughter-house shall not slaughter, or permit to be slaughtered, any animal therein, unless those arrangements are duly observed.

The Cantonment Code, 1912.

127. (1) The cantonment authority may, by public notice, limit the hours during which any slaughter-house may be kept open for use and the slaughter of animals may be permitted therein.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in each slaughter-house to which the notice relates.

128. (1) Where it is, in the opinion of the cantonment authority, necessary on sanitary grounds to do so, the cantonment authority may, by public notice, prohibit, for any period, not exceeding one month, to be specified in the notice, or for such further period, not exceeding one month, as it may from time to time by a like notice specify, the use of any slaughter-house or the slaughter therein of any animal of a description specified in the notice.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted in the slaughter-house to which the notice relates.

129. Where the owner or the person in charge of a private slaughter-house applies for the license therefor, such license shall be granted on payment of the prescribed fee, if any, by the Cantonment Magistrate on his being satisfied—

- (a) that convenient passages have been provided between any pens, standings or yards in the slaughter-house;
- (b) that a sufficient supply of pure water has been provided for the slaughter-house;
- (c) that sufficient drains have been provided;
- (d) that the premises are so enclosed as to prevent the interior being visible by passers-by; and
- (e) that suitable arrangements have been made for—
 - (i) keeping the slaughter-house in a clean and sanitary condition and removing offensive matter and rubbish therefrom;
 - (ii) the proper ventilation of the buildings and structures in the slaughter-house;
 - (iii) the proper maintenance of the drains and of any public latrines and urinals that may be required for the use of persons frequenting the slaughter-house;
 - (iv) the treatment of animals in the slaughter-house;
 - (v) the slaughter of animals in a humane manner within an enclosure so constructed that animals placed therein shall be out of sight of animals kept outside;
 - (vi) the removal of animals to such enclosure as aforesaid;
 - (vii) the disposal or destruction of animals which are offered for slaughter and are from disease or any other cause unfit for human consumption; and
 - (viii) the destruction of carcasses which from disease or any other cause are found after slaughter to be unfit for human consumption;

Provided that no license shall be granted for a slaughter-house opened after the commencement of this Code, if the slaughter-house is situate at any place which the cantonment authority thinks, specially with regard to any neighbouring drains or water-courses, to be objectionable.

New private slaughter-houses to be licensed.
public use until it has been licensed.

130. No private slaughter-house shall, after the commencement of this Code, be opened to

131. (1) The cantonment authority may, by notice in writing, require the owner or the person in charge of any private slaughter-house in existence at the commencement of the Cantonment Code, 1899, to furnish, within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be required therefor.

(2) On the expiration of such time as aforesaid the cantonment authority shall determine whether or not it is necessary to require a license.

(3) Where the cantonment authority determines that a license shall be required for the slaughter-house and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing, require the owner or the person in charge of the slaughter-house to close the same until a license has been obtained.

The Cantonment Code, 1912.

Duties of owners or persons in charge of licensed slaughter-houses.

132. The owner or the person in charge of a licensed slaughter-house shall be bound—

- (a) to maintain convenient passages between any pens, standings or yards in the slaughter-house;
- (b) to maintain a sufficient supply of pure water for the slaughter-house;
- (c) to keep the slaughter-house in a cleanly and sanitary condition, to provide and maintain receptacles for refuse, and to remove all offensive matter and rubbish from the slaughter-house;
- (d) to maintain in good order the drains of the slaughter-house and any public latrines or urinals which may have been provided for the use of persons frequenting it;
- (e) to maintain suitable arrangements for the purposes mentioned in section 129, clause (e), sub-clauses (iv) to (viii); and
- (f) to prevent the keeping of animals at the slaughter-house for more than twenty-four hours.

133. (1) Where the owner or the person in charge of a licensed slaughter-house commits a breach of any of the provisions of sections 127, 128 and 132, the cantonment authority may, in addition to any punishment which may be inflicted under this Code, by order in writing, suspend the license for any period to be specified in the order, or withdraw the license.

(2) No slaughter-house for which a license has been granted under this Chapter, shall be kept open to public use, and no animal shall be slaughtered therein, while the license therefor is suspended or after the same has been withdrawn.

(3) A copy of every order made under sub-section (1) shall be conspicuously posted in the slaughter-house to which the order relates.

Register of private slaughter-houses.

134. The Cantonment Magistrate shall maintain a register of all private slaughter-houses which have been licensed under this Chapter, showing—

- (a) the date on which the license was granted; and,
- (b) where the license has been suspended, the date and period of the suspension; or
- (c) where the license has been withdrawn, the date of the withdrawal.

135. Whoever, knowing that a license granted for a slaughter-house is for the time being suspended or has been withdrawn, slaughters any animal therein, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

Levy of stallages, rents and fees in public markets and slaughter-houses.

136. (1) The cantonment authority may—

- (a) charge, for the occupation or use of any stall, shop, standing, shed or pen in a public market or slaughter-house, and for the right to expose goods for sale in a public market and for weighing and measuring goods sold therein, and for the right to slaughter animals in any public slaughter-house, such stallages, rents and fees as shall from time to time be fixed by it, in this behalf; or
- (b) farm the stallages, rents and fees leviable as aforesaid, or any portion thereof, for any period not exceeding one year at a time.

(2) A copy of the table of stallages, rents and fees (if any) leviable in any public market or slaughter-house under sub-section (1), printed in the English language and in such other language or languages as the cantonment authority may direct, shall be affixed in some conspicuous place in the market or slaughter-house, as the case may be.

137. (1) No person shall, without the permission in writing of the cantonment authority, bring into the cantonment any cattle, sheep, goats or swine intended for human consumption.

Import of cattle and flesh.

(2) Any animal or flesh brought into the cantonment in contravention of sub-section (1), may be seized by the Cantonment Magistrate or by any servant of the cantonment authority and sold or otherwise disposed of as the cantonment authority may direct, the sale-proceeds being credited to the cantonment fund.

(3) Whoever commits a breach of the provisions of this section shall be punishable with fine which may extend to fifty rupees.

Explanation.—Nothing in this section shall be deemed to apply to cured or preserved meat.

[Cf. Bom. Act III of 1888, ss. 407 and 408.]

*The Cantonment Code, 1912.**Traffic.*

138. The cantonment authority shall not permanently close any street or open any new street without the previous sanction of the Officer Commanding the Division.

Closing and opening of streets.

139. Whoever is driving a vehicle along a street, shall, except in case of actual necessity, keep to the left when passing a vehicle coming from the opposite direction, and on the right when passing a vehicle going in the same direction.

Rule of the road.

Rash riding or driving.
Rash or negligent manner.

140. No animal shall be ridden or driven, and no vehicle shall be driven, on any street at a time or in a manner prohibited by public notice issued by the Cantonment Magistrate or by the District Superintendent of Police.

141. No animal shall be ridden or driven, and no vehicle shall be driven, on any street at a time or in a manner prohibited by public notice issued by the Cantonment Magistrate or by the District Superintendent of Police.

Use of lamps on vehicles.
moonlight to render a lamp unnecessary.

142. No vehicle shall be driven, led or kept standing on any street between nightfall and dawn without a suitable lamp, placed on the right side thereof, unless there is sufficient moonlight to render a lamp unnecessary.

143. Whoever is driving any elephant or camel on a street, shall remove the same to a safe distance on the approach of a horse or of bullocks drawing a vehicle.

Removal of elephant or camel on approach of horse or vehicle drawn by bullock.
Leaving vehicle or animal without proper control.

144. No vehicle or animal shall be left on a street without proper control.

145. No animal shall be trained, broken in or led for exercise on any street at a time or place prohibited by public notice issued by the cantonment authority.

Training, breaking in or exercising animal.

146. No person shall—

- (a) cause any vehicle, with or without an animal harnessed thereto, to remain or stand so as to cause obstruction in any street longer than may be necessary for loading or unloading or for taking up or setting down passengers; or
- (b) leave or fasten any vehicle or animal so as to cause obstruction in any street; or
- (c) expose any article for sale, whether upon a stall or booth or in any other manner, so as to cause obstruction in any street; or
- (d) in any other manner wilfully obstruct or cause obstruction to the free passage of any street.

Burial and Burning Grounds.

147. The cantonment authority may, by notice in writing, require the owner or keeper of any burial or burning ground to supply such information as may be specified in the notice concerning the condition, management or position of such ground.

148. (1) No place not previously used as a burial or burning ground shall, after the commencement of this Code, be so used without the permission in writing of the cantonment authority.

(2) Such permission as aforesaid may be granted subject to any conditions which the cantonment authority may think fit to impose for the purpose of preventing annoyance to, or danger to the health of, persons living in the neighbourhood.

149. (1) Where the cantonment authority is of opinion, after making or causing to be made local inquiry, that any burial or burning ground has become offensive to, or dangerous to the health of, persons living in the neighbourhood, it may, with the previous sanction of the Local Government, by notice in writing, require the owner or keeper of such ground to close the same from a date to be specified in the notice.

(2) Where the Local Government sanctions the issue of any notice under sub-section (1), it shall declare the conditions on which the burial or burning ground may be re-opened, and a copy of the declaration shall be annexed to the notice.

(3) Where the Local Government sanctions the issue of any such notice as aforesaid, it shall require a new burial or burning ground to be provided at the expense of the cantonment fund, or, if the community concerned is willing to provide a new burial or burning ground, a grant to be made from the cantonment fund towards the cost of the same.

The Cantonment Code, 1910.

150. No corpse shall be buried or burnt in any burial or burning ground in respect of which a notice issued under section 149, sub-section (1), is for the time being in force.

Distance between graves.
the margin of the nearest grave.

151. No grave shall be made in any burial ground at a less distance than three feet from

- Depth of graves.
- (a) four feet, where the grave is made of masonry; or
(b) six feet, where the grave is not made of masonry.

152. No corpse shall, without the permission in writing of the cantonment authority, be buried in any burial ground in a grave of less depth than—

Corpses to be buried or burnt within six hours.

153. Every corpse brought to a burial or burning ground shall be buried or burnt, as the case may be, within six hours after it has been so brought.

Corpses to be reduced to ashes.

154. Every corpse brought to a burning ground shall be completely reduced to ashes.

155. Where a corpse has been buried, burnt or otherwise disposed of in contravention of any of the provisions of sections 148, 150, 151, 152, 153 and 154, the cantonment authority may, if it thinks fit, take such order, therewith, or with the remains thereof, as shall ensure the proper disposal of the same in accordance with this Code.

156. The provisions of sections 147 to 155 shall not apply to any burial ground which is for the time being managed under rules published in the Public Works Department Code.

CHAPTER IX.

WATER-SUPPLY.

157. All sources of public water-supply (except such as are used for the purposes of water-works and are for the time being under the control of the Public or Military Works Department) shall be under the control of the cantonment authority.

158. Where there are no water-works, the cantonment authority shall take all necessary measures for maintaining a supply of pure water, for guarding from pollution water which is used for human consumption, and for preventing polluted water from being so used.

159. (1) Where, in the opinion of the cantonment authority, the water in any source of public water-supply is likely, if used by any human being or by any milch animal for drinking purposes, to engender or cause the spread of any disorder, the cantonment authority may, by public notice, prohibit the use or removal of the same for all or any of the following purposes, namely:—

- (a) the drink of human beings or admixture with any article of human consumption;
(b) the drink of milch animals, or admixture with any article of food or drink for milch animals;
(c) the washing of vegetables or of cooking utensils;
(d) any other purpose which is likely to cause its introduction into any article of human consumption.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted near the source of water-supply to which the notice relates.

160. The cantonment authority may, by notice in writing, require the owner, or any person having control, of any source of public water-supply which is used for drinking purposes,—

- (a) to keep the same in good order, and to clear it from time to time of silt, refuse or decaying vegetation; or
(b) if the water therein is proved to the satisfaction of the cantonment authority to be unfit for drinking purposes, to take such measures as may be specified in the notice to prevent the public from having access to, or using, such water:

Provided that, in the case of a well, such person as aforesaid may, instead of complying with the notice, signify in writing his desire to be relieved of all responsibility for the

The Cantonment Code, 1912.

proper maintenance of the well and his readiness to place it under the control and supervision of the cantonment authority for the use of the public and the cantonment authority shall thereupon undertake the control and supervision of the same.

Polluting source of public drinking water-supply.

161. (1) Whoever—

- (a) bathes in any source of public water-supply which is used for drinking purposes; or
- (b) washes, throws or causes or permits to enter, therein any dog or other animal; or
- (c) washes or cleanses therein any clothes, wool, cloth, leather, skin, utensil or other thing; or
- (d) throws or allows to flow thereinto any offensive matter or rubbish; or
- (e) causes or allows the water of any sink, drain, steam-engine or boiler, or any other filthy or polluted water belonging to him or under his control, to flow thereinto; or
- (f) does any other act whereby the water thereof is polluted or is likely to be polluted;

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

(2) For the purposes of this section the cantonment authority may, by public notice, declare what sources of public water-supply are used for drinking purposes.

(3) A copy of every notice issued under sub-section (2) shall be conspicuously posted near the source of water-supply to which the notice relates.

Impairing quality, or diminishing quantity, of water in source of public drinking water-supply or impairing usefulness of water-works.

162. The cantonment authority may, by public notice, prohibit any act specified in the notice which would, in its opinion,—

- (a) impair the quality or diminish the quantity of the water in any source of public water-supply which is set apart for public use and is used for drinking purposes; or
- (b) injure or impair the usefulness of any of the pipes, locks, cocks, or other fittings of water-works.

Trespass on water-works.

163. (1) The cantonment authority may, by public notice, prohibit trespasses upon land

occupied by water-works.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted on the land to which the notice relates.

164. (1) No person shall, without the permission in writing of the cantonment authority, alter, obstruct or encroach upon, any public water-channel.

(2) The cantonment authority may, by notice in writing, require any person who has made any such alteration, obstruction or encroachment as aforesaid, to remove or desist from, the same.

165. (1) The cantonment authority may, by public notice, prohibit fishing, boating or the gathering of flowers or plants, generally or by any particular method specified in the notice, in any source of public water-supply, where it considers that any such act is likely to cause danger to the public health.

Power to prohibit polluting of source of public water-supply by fishing, boating or gathering flowers or plants.

(2) A copy of every notice issued under sub-section (1) shall be conspicuously posted near the source of water-supply to which the notice relates.

Throwing of corpse into source of public water-supply.

166. No person shall throw a corpse into any source of public water-supply.

167. The cantonment authority may, by notice in writing, require the owner, lessee or occupier of any place in which is carried on any offensive trade or manufacture whereby the water in any source of public water-supply is polluted, to take steps to abate such pollution.

Power to prohibit pollution of source of public water-supply by carrying on offensive trade.

Placing latrine, etc., or depositing offensive matter or rubbish, near source of public water-supply.

168. No person shall, without the permission in writing of the cantonment authority,—

- (a) place any latrine, urinal, cesspool or drain, or
- (b) use for the deposit of offensive matter or rubbish any place, within fifty feet of any source of public water-supply.

The Cantonment Code, 1912.

169. The cantonment authority may, by notice in writing, require any lessee, owner or occupier on whose land any latrine, urinal, cess-pool, drain or other receptacle for offensive matter exists within fifty feet of any source of public water-supply, to remove or close the same within one week from the service of the notice.

Bathing or washing at public well or spring.

170. Whoever—

- (a) bathes, or
- (b) washes any animal, or any clothes, wool, cloth, leather, skin, utensil or other thing,

by the side of any public well or spring so as to pollute the water thereof, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

Regulation of public bathing and washing.

171. (1) The cantonment authority may, by public notice, prohibit—

- (a) bathing, or
- (b) the washing of animals or of clothes, wool, cloth, leather, skins, utensils or other things, or of any class of such things,

by the public or any class thereof at any public place specified in the notice.

(2) The cantonment authority may, by public notice,—

- (a) appoint places for—
 - (i) bathing, or
 - (ii) the washing of animals or of clothes, wool, cloth, leather, skins, utensils or other things, or any class of such things; and
- (b) fix the hours at which alone bathing or washing may be carried on at any place so appointed.

(3) In any notice issued under sub-section (1), separate places may be appointed for bathing and washing, respectively, and separate places may be appointed for bathing by men and women, respectively.

(4) A copy of every such notice as aforesaid shall be conspicuously posted on or near the place or places to which the notice relates.

Explanation.—In this section, the expression “washing an animal” includes driving or throwing an animal, or permitting it to go, into water.

CHAPTER X.

TRADES, CALLINGS AND OCCUPATIONS.

Licenses required for carrying on of certain occupations.

172. No person of any of the following classes, namely :—

- (a) butchers, and sellers of poultry, game or fish;
- (b) persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India;
- (c) persons keeping milch cattle or milch goats for profit;
- (d) persons keeping for profit any animals other than pigs, milch cattle or milch goats;
- (e) dairymen and buttermen and makers or sellers of ghi;
- (f) makers of bread, biscuits or cake, and sellers of bread, biscuits or cake made in India;
- (g) sellers of fruit or vegetables;
- (h) manufacturers of aerated or other potable waters, or ice, and sellers of the same;
- (i) sellers of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters, or ice) which are of a perishable nature;

The Cantonment Code, 1912.

- (k) sellers of water to be used for drinking purposes;
- (l) washermen;
- (m) dealers in hay, straw, wood, charcoal or other inflammable material;
- (n) dealers in fireworks, kerosine oil, petroleum or any other inflammable oil or spirit;
- (o) tanners and dyers;
- (p) persons carrying on any trade or occupation from which offensive or unwholesome smells arise;
- (q) sellers of wheat, rice and other grains or flour used as human food;
- (r) makers or sellers of sugar or sweetmeats; and
- (s) hawkers and pedlers;

shall carry on his trade, calling or occupation in any part of the cantonment unless he has applied for, and obtained a license renewable annually from, the cantonment authority:

Provided, first, that a license shall not be withheld if the applicant is willing to comply with such conditions as the cantonment authority may think fit to impose under section 173:

Provided, secondly, that no person who was, at the commencement of the Cantonment Code, 1899, carrying on his trade, calling or occupation in any part of the cantonment, shall be bound to apply for a license for carrying on such trade, calling or occupation in that part until he has received from the cantonment authority not less than three months' notice in writing of his obligation to do so, and that, if the cantonment authority refuses to grant him a license, it shall pay reasonable compensation for any loss incurred by reason of such refusal:

Provided, thirdly, that in cantonments to which the Indian Petroleum Act, 1899 (VIII of 1899), extends, no person shall be required to obtain a license for the sale or storage of petroleum in any case in which a license is required by the said Act to be taken out, save in accordance with the provisions of the said Act, and of the rules framed thereunder.

173. A license granted to any person under section 172 shall specify the part of the cantonment in which the licensee may carry on his trade, calling or occupation, and may regulate the hours and manner of transport within the cantonment of any specified articles intended for human consumption, and may contain any conditions which the cantonment authority may think fit to impose with respect to the following matters, namely:—

- (a) in the case of butchers, and sellers of poultry, game or fish,—
 - (i) the apparatus and coverings to be used in the operations of their trade;
 - (ii) the places at which, and the manner in which, meat, poultry, game or fish may be exposed for sale; and
 - (iii) the disposal of meat, poultry, game or fish when found to be unfit for human consumption;
- (b) in the case of persons keeping pigs for profit, and dealers in the flesh of pigs which have been slaughtered in India,—
 - (i) the places at which pigs may be kept;
 - (ii) the number of pigs which may be kept at any one place;
 - (iii) the season and the places at which pigs may be slaughtered and the flesh offered for sale;
 - (iv) the manner in which pigs shall be inspected prior to slaughter; and
 - (v) the manner in which the flesh thereof shall be inspected and marked prior to sale; and disposed of when found to be unfit for human consumption;
- (c) in the case of persons keeping milch cattle or milch goats for profit,—
 - (i) the places at which such animals may be kept;
 - (ii) the number of such animals which may be kept at any one place;
 - (iii) the sources from which such animals shall be watered;
 - (iv) the segregation of any sick or diseased animals; and

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- (v) the taking of any other measures which the cantonment authority may think necessary for maintaining the premises in a clean and sanitary state:
- (d) in the case of persons keeping for profit any animals other than pigs, milch cattle or milch goats,—
- (i) the places at which such animals may be kept;
 - (ii) the number of such animals which may be kept at any one place; and
 - (iii) the manner of keeping the animals so as to prevent their becoming a public nuisance or injurious to the public health:
- (e) in the case of dairymen, buttermen and sellers of ghi,—
- (i) the vessels and other apparatus to be used in the operations of their trade;
 - (ii) the places at which and the manner in which milk or butter may be prepared and kept for sale; and
 - (iii) the taking of any other measures which the cantonment authority may consider necessary for keeping the premises and all vessels and apparatus in a clean and sanitary state:
- (f) in the case of makers of bread, biscuits, cake or sweetmeats and sellers of bread, biscuits or cake or sweetmeats made in India,—
- (i) the apparatus and the water, flour and other ingredients which may be used in the operations of their trade;
 - (ii) the places at which bread, biscuits, cake or sweetmeats may be prepared and kept for sale;
 - (iii) the inspection to be exercised over the making of such articles; and
 - (iv) the disposal of any such articles which may be found to be unwholesome:
- (g) in the case of sellers of fruit or vegetables,—
- (i) the places and seasons at which fruit or vegetables, or any specified kinds of fruit or vegetables, may be sold; and
 - (ii) the disposal of any fruit or vegetables which may be found to be unwholesome, or of which the sale has been prohibited under clause (g), sub-clause (i):
- (h) in the case of manufacturers of aerated or other potable waters, or ice, and sellers of the same,—
- (i) the sources from which water used in such manufacture shall be taken;
 - (ii) the machinery, chemicals and ingredients which may be used in such manufacture;
 - (iii) the measures to be taken in order to ensure the proper filtering of the water used and the cleanliness of all apparatus and receptacles used; and
 - (iv) the attachment of labels or the adoption of other means for the purpose of identifying the factory at which each article was made:
- (j) in the case of sellers of any medicines, drugs or articles of food or drink for human consumption (other than the flesh of pigs, milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable waters, or ice) which are of a perishable nature, the disposal of any articles which may be found to be unwholesome:
- (k) in the case of sellers of water to be used for drinking purposes,—
- (i) the sources from which such water shall be taken; and
 - (ii) the taking of measures to ensure the cleanliness of mussuks or any other vessels or utensils used for carrying such water:
- (l) in the case of washermen, the places at which clothes may be washed, dried or kept:
- (m) in the case of dealers in hay, straw, wool, charcoal or other inflammable material,—
- (i) the places at which such materials may be kept;
 - (ii) the quantity which may be stored at any one place, and the manner of storing; and
 - (iii) the precautions against fire to be taken by the dealer or the person in charge of the business:

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- (n) in the case of dealers in fireworks, petroleum (in cases in which a license is required under this Code), kerosine oil or any other inflammable oil or spirit,—
- (i) the places at which, and the quantities in which, any such article may be stored or kept for sale; and
- (ii) the taking of any measures which the cantonment authority may consider necessary for the prevention of danger to life or property;
- (o) in the case of tanners and dyers, the taking of measures for regulating the discharge of refuse matter from their premises and for abating any nuisance arising from such premises; and
- (p) in the case of persons carrying on any trade or occupation from which offensive or unwholesome smells arise the taking of any measures which the cantonment authority may consider necessary for the abatement of any nuisance arising from the premises.

Explanation.—For the purposes of clause (a), sub-clause (iii), meat which has been subjected to the process of blowing, shall be presumed to be unfit for human consumption.

[Cf. Act III of 1911, ss. 188 (a) and (b).] Power of cantonment authority to make bye-laws as to vehicles, etc.

174. The cantonment authority may, by bye-laws,—

- (a) render licenses necessary for the proprietors or drivers of vehicles, boats or animals kept or plying for hire within the cantonment, and fix the fees payable for such licenses and the conditions on which they are to be granted and may be revoked, and
- (b) limit the rates which may be demanded for the hire of any carriage, cart, boat or other conveyance, or of animals hired to carry loads or for the services of persons hired to carry loads, and the loads to be carried by such conveyances, animals or persons when hired in the cantonment for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours:

Provided, firstly, that no bye-law made under this section by the cantonment authority of a cantonment in which the Hackney Carriage Act, 1879, or the Calcutta Hackney Carriage Act, 1891, or the Madras Hackney Carriage Act, 1879, or Bombay Act VI of 1863 (an Act for the regulation of public conveyances in the town, suburbs and harbour of Bombay) is in force, shall apply to any vehicle to which any of those Acts applies:

Provided, secondly, that in no cantonment in which a cantonment committee has been constituted shall any bye-laws be made except at a meeting of which at least six clear days' notice shall have been given.

175. No person holding a license under section 172 for keeping for profit milch cattle or milch goats, or pigs or any other animal which may be used for human consumption, shall allow

Feeding animals on filth, etc.

the same—

- (a) to be fed upon refuse or any filthy or deleterious substance; or
- (b) to graze in any place in which grazing has for sanitary reasons been prohibited by public notice issued by the cantonment authority.

176. No dairyman holding a license under section 172 shall mix water with, or otherwise adulterate, any milk intended for sale.

Adulteration of milk.

177. No butterman, holding a license under section 172, shall adulterate any butter intended for sale.

Adulteration of butter.

178. No person holding a license under section 172 shall sell any article of food or drink for human consumption which is unfit for that purpose.

Selling food or drink unfit for human consumption.

Power to remove brothels and prostitutes.

179. (1) The cantonment authority may, by notice in writing, prohibit—

- (a) the keeping of a brothel, or
- (b) the residence of a public prostitute, in the cantonment or any specified part thereof.

(2) Whoever fails to comply with a notice issued under sub-section (1), shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

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180. No public prostitute shall be permitted to reside within the limits of any regimental bazar situate in the cantonment.

181. (1) Where any person holding a license under section 172, or section 174, commits a breach of any of the provisions of sections 173, 175, 176, 177 and 178, the cantonment authority may, in addition to any punishment which may be inflicted under this Code, by order in writing, suspend the license for any reasonable time to be specified in the order, or withdraw the same.

(2) No person who has obtained a license under this Chapter for carrying on a trade, calling or occupation in any part of the cantonment, shall carry on such trade, calling or occupation in that part while such license is suspended or after the same has been withdrawn.

CHAPTER XI.

PREVENTION AND TREATMENT OF DISEASE.

Infectious or Contagious Disorders.

Information to be given of existence of infectious or contagious disorder.

182. Whoever,—

[Cf. Act III of 1911, s. 141.]

(a) being a medical practitioner and in the course of practice becoming cognizant of the existence of any infectious or contagious disorder in any dwelling, other than a public hospital or dispensary, in the cantonment or its neighbourhood; or

(b) in default of such medical practitioner, being the owner or occupier of such dwelling and being cognizant of the existence of any infectious or contagious disorder therein; or

(c) in default of such owner or occupier, being the person in charge of, or in attendance on, any person suffering from any infectious or contagious disorder in such dwelling and being cognizant of the existence of the disorder therein;

fails to give information or gives false information to the cantonment authority respecting the existence of such disorder, shall be punishable with fine which may extend to fifty rupees:

Provided that a person not required by this section to give information in the first instance, but only in default of some other person, shall not be punishable if it is shown that he had reasonable cause to suppose that the information had been, or would be, duly given:

Provided, also, that this section shall not apply to venereal disease where the person suffering therefrom is under specific and adequate medical treatment, and, by reason of habits, conditions of life and residence, is unlikely to spread the disease.

Explanation.—In this section, the expression “infectious or contagious disorder” includes venereal disease.

183. (1) In the event of the cantonment being at any time visited or threatened by an outbreak of any infectious or contagious disorder among the inhabitants thereof, or of any epidemic disease among the cattle, sheep or goats therein, the Officer Commanding the Division, if he thinks that the provisions of this Code or of any law at the time in force are insufficient for the purpose, may, with the previous sanction of the Local Government,—

(a) take such special measures, and,

(b) by public notice, prescribe such temporary regulations to be observed by the public or by any person or class of persons,

as he thinks necessary to prevent the outbreak of the disorder or disease or the spread thereof.

(2) Whoever commits a breach of any temporary regulation prescribed under subsection (1), shall be deemed to have committed an offence punishable under section 188 of XLV of 1860, the Indian Penal Code.

184. Where it is certified to the Cantonment Magistrate by a medical practitioner that the outbreak or spread of any infectious or contagious disorder is, in the opinion of such medical practitioner, attributable to the milk supplied by any dairyman, the Cantonment Magistrate may, by notice in writing, require the dairyman, within a time to be specified

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in the notice, to furnish him with a full and complete list of the names and addresses of all his customers within the cantonment, or to give him such information as will enable him to trace the persons to whom the dairyman has sold milk.

185. Where it is certified to the Cantonment Magistrate by the Sanitary Officer that Power to require names of washerman's customers. it is desirable, with a view to prevent the spread of any infectious or contagious disorder, that the Sanitary Officer should be furnished with a list of the customers of any washerman, the Cantonment Magistrate may, by notice in writing, require the washerman, within a time to be specified in the notice, to furnish the Sanitary Officer with a full and complete list of the names and addresses of all owners within the cantonment of clothes and other articles for whom the washerman washes or has washed during the six weeks immediately preceding the date of the notice.

186. Where, after inspection, the Sanitary Officer is of opinion that any infectious or Report after inspection of dairy or washerman's place of business. contagious disorder is caused, or is likely to arise, from the consumption of the milk supplied from a dairy, or from the washing of soiled clothes or other articles in any place, or from any process employed by a washerman, he shall report the matter to the Cantonment Magistrate.

187. Upon receipt of a report submitted under section 186, the Cantonment Magistrate may, by notice in writing,—
Action on report submitted under section 186.

(a) prohibit the person in charge of the dairy from supplying milk therefrom until the notice has been withdrawn; or as the case may be,

(b) prohibit the washerman from washing soiled clothes or other articles in any such place or by any such process as aforesaid until the notice has been withdrawn or unless he uses such place in such manner or washes by such process as the Cantonment Magistrate may direct in the notice.

188. The Sanitary Officer, or any medical officer of the Government appointed by him in this behalf, may take possession of any milk, Examination of milk or washed clothes. clothes or other articles which are, or have recently been, in the possession of any dairyman or washerman on whom a notice under section 184 or section 185 has been served, and may subject the same or cause the same to be subjected to such chemical or other process as he may think necessary; and the cantonment authority shall pay from the cantonment fund all the costs of the process, and shall also pay to the owner of the milk, clothes or other articles, such sum as compensation for any loss occasioned by such process as may in the circumstances appear to it to be reasonable.

Contamination of public conveyances.

189. Whoever—

(a) enters a public conveyance while suffering from an infectious or contagious disorder which would be likely to be communicated to other persons using the conveyance; or

(b) uses a public conveyance for the carriage of a person who is suffering from any such disorder; or

(c) uses a public conveyance for the carriage of the corpse of a person who has died from any such disorder;

shall be bound to notify the fact to the driver and to report to the Cantonment Magistrate the number of the conveyance and the name of the driver.

190. Where any person suffering, or the corpse of any person who has died, from an infectious or contagious disorder, has been carried in a public conveyance, the driver shall Disinfection of public conveyances. forthwith report the fact to the Cantonment Magistrate, and that officer shall forthwith cause the conveyance to be disinfected, if that has not already been done.

191. Where the Cantonment Magistrate is, upon the advice of the Sanitary Officer, of Disinfection of building or articles therein, or opinion that the cleansing or disinfecting of any building or part of a building, or of any articles therein likely to retain infection, or the renewal of the flooring of any building or part of a building, would tend to prevent or check the spread of any infectious or contagious disorder, he may, by notice in writing, require the owner or occupier to cleanse and disinfect the said building, part or articles, or to renew the said flooring, within a time to be specified in the notice: Disinfection of building or articles therein, or renewal of flooring.

Provided that, where, in the opinion of the Cantonment Magistrate, the owner or occupier is, from poverty or any other cause, unable effectually to carry out any such requisition, the Cantonment Magistrate may, at the expense of the cantonment fund, cleanse or disinfect the building or part, or any articles therein likely to retain infection, or renew the said flooring.

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192. Where the destruction of any hut or shed is, in the opinion of the cantonment authority, necessary to prevent the spread of any infectious or contagious disorder the cantonment authority may, by notice in writing, require the owner, within a time to be specified in the notice, to destroy the hut or shed and the materials thereof :

Provided that the cantonment authority shall pay to the owner such sum as may in the circumstances appear to it to be equitable for any loss incurred by reason of the destruction of such hut, shed or materials.

193. The cantonment authority shall provide free of charge temporary shelter or house accommodation for the members of any family in which an infectious or contagious disorder has appeared, who have been compelled to leave their dwellings, by reason of any proceedings taken under section 191 or section 192 and desire such shelter or accommodation as aforesaid to be provided for them.

194. Whoever lets a building or part of a building in which any person has, within the six weeks immediately preceding, been suffering from an infectious or contagious disorder, shall, before letting the building or part, disinfect the same, in such manner as the cantonment authority may, by public or special notice, direct, together with all articles therein liable to retain infection.

Explanation.—For the purposes of this section, the keeper of a sarái shall be deemed to let part of a building to any person who is admitted as a guest into the sarái.

195. No person shall, without previous disinfection of the same, give, lend, sell, transmit or otherwise dispose of to another person any article or thing which he has reason to know has been exposed to contamination by any infectious or contagious disorder.

196. The cantonment authority shall, by public notice, prescribe the manner in which infectious excreta and other matter is to be dealt with or disposed of.

197. Whoever, while suffering from an infectious or contagious disorder,—

(a) makes or offers for sale any article of food or drink for human consumption, or any medicine or drug; or

(b) takes any part in the business of washing or carrying soiled clothes;

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

198. The Cantonment Magistrate may, by notice in writing, prohibit any person, while suffering from, or likely to spread, any infectious or contagious disorder, from making, carrying or offering for sale, or from taking any part in the business of making, carrying or offering for sale, any article of clothing or bedding, or anything for use in the making of clothing or bedding, or any other article for personal wear or use which may be specified in the notice.

199. When any cantonment is visited or threatened by an outbreak of any infectious or contagious disorder, the cantonment authority may, on the advice of the District Magistrate and the Sanitary Officer, by public notice, restrict in such manner, or prohibit for such period, as may be specified in the notice, the sale or preparation of any article of food or drink for human consumption specified in the notice or the sale of the flesh of any description of animal specified in the notice.

200. Where any person has died from any infectious or contagious disorder, the Cantonment Magistrate may, by notice in writing,—

(a) require any person having charge of the corpse—

(i) to bury, burn or otherwise dispose of the same according to the custom of the class to which the deceased belonged, forthwith or within any period, not being less than twenty-four hours after death, to be specified in the notice, or

(ii) to convey the same to a mortuary, thereafter to be disposed of in accordance with law; or

(b) prohibit the removal of the corpse from the place where death occurred, except for the purpose of being buried, burnt or otherwise disposed of as aforesaid or of being conveyed to a mortuary.

*The Cantonment Code, 1912.**Hospitals and Dispensaries.*

Maintenance or aiding of hospitals and dispensaries.

201. (1) So far as the funds at its disposal permit, the cantonment authority may—

- (a) provide and maintain, either within or without the cantonment, as many hospitals or dispensaries as may be necessary; or
- (b) make, upon such terms as it thinks fit to impose, a grant-in-aid to any hospital or dispensary, whether within or without the cantonment not maintained by it.

(2) Every hospital or dispensary maintained or aided under sub-section (1) shall have attached to it a ward or wards for the treatment of persons suffering from infectious or contagious disorders.

Explanation.—In this section, the expression “infectious or contagious disorder” includes venereal disease.

202. A Medical Officer, to be appointed in such manner as the Local Government may direct, shall be in charge of every hospital or dispensary maintained or aided under section 201.

203. Subject to the control over the cantonment fund which is vested in the Local Government by section 21 of the Cantonments Act, 1910, there shall be appointed, for every subordinate establishments for hospitals or dispensaries, hospital or dispensary maintained or aided under section 201, such subordinate establishment as may be necessary.

204. So far as the funds at its disposal permit, the cantonment authority shall cause every hospital or dispensary maintained or aided under section 201, to be provided with—

Medical supplies, appliances, etc.

- (a) all requisite drugs, instruments, apparatus, furniture and appliances;
- (b) sufficient cots, bedding and clothing for in-patients; and
- (c) such further requisites as may be necessary.

205. Every hospital or dispensary maintained or aided under section 201 shall be maintained in accordance with the rules made generally or specially, by the Governor-General in Council or the Local Government for the conduct of hospitals and dispensaries, or in accordance with the said rules modified in such manner as the Governor-General in Council or the Local Government may think fit.

206. At every hospital or dispensary maintained or aided under section 201 the sick poor of the cantonment, persons in the cantonment suffering from infectious or contagious disorders, and, with the sanction of the cantonment authority, any other sick persons, may receive medical treatment free of cost and, if treated as in-patients, shall be either dieted gratuitously or, should the medical officer in charge so direct, granted subsistence allowance on a scale to be determined by the cantonment authority:

Provided that the subsistence allowance granted as aforesaid shall not be less than the lowest allowance for the time being fixed for the subsistence of judgment-debtors by the Local Government under section 57 of the Code of Civil Procedure, 1908.

Explanation.—In this section, the expression “infectious or contagious disorder” includes venereal disease.

207. Any sick person who is ineligible under section 206 to receive medical treatment free of cost in any hospital or dispensary maintained or aided under section 201, may, upon such terms as the cantonment authority thinks fit to impose, be admitted to treatment in such hospital or dispensary.

Paying patients.

208. If the Medical Officer in charge of a hospital or dispensary maintained or aided under section 201 has *prima facie* grounds for believing that any person living in the cantonment is suffering from an infectious or contagious disorder, he may, by notice in writing in the form set forth in Schedule III or in any similar form, call upon such person to attend at the hospital or dispensary at a time to be specified in the notice, and not to quit it without the permission of the Medical Officer in charge, unless and until such Medical Officer is satisfied, by examination (if necessary), that such person is not in fact suffering, or is no longer suffering, from such disorder:

Provided that if, having regard to the nature of the disorder, or the condition of the person suffering therefrom, or the general environment and circumstances of such person,

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the Medical Officer considers the attendance of such person at the hospital or dispensary inexpedient, he may dispense with such attendance and take such measures or give such directions as he may think fit and proper.

Explanation.—In this section, the expression “infectious or contagious disorder” includes venereal disease.

209. (1) If the Medical Officer in charge of hospital or dispensary maintained or aided under section 201 reports in writing to the Commanding Officer of the cantonment that any person, having received a notice as provided by section 208, has refused or omitted to attend at the hospital or dispensary, or that such person, having attended at the hospital or dispensary, has quitted it without the permission of such Medical Officer, the Commanding Officer of the cantonment may, if he thinks fit, by order in writing, direct such person to remove from the cantonment within twenty-four hours, and prohibit him remaining longer in, or re-entering, it without his permission in writing.

(2) Whoever, having been prohibited under sub-section (1) from remaining in or re-entering the cantonment, fails to remove from or re-enters it without the permission in writing of the Commanding Officer of the cantonment, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, and, in the case of a continuing failure with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

(3) No person who has been prohibited under sub-section (1) from remaining in or re-entering any cantonment, shall enter any other cantonment in British India, without the written permission of the Commanding Officer in that cantonment.

210. No spirituous or fermented liquor or intoxicating drug or preparation shall be introduced into a hospital or dispensary maintained or aided under section 201 without the permission of the Medical Officer in charge.

211. (1) No land in the cantonment shall be selected for use as a hospital or segregation camp without giving the Cantonment Magistrate and the Sanitary Officer an opportunity of stating their opinions upon the proposed selection.

(2) Where any land in the cantonment is used as aforesaid, it shall be ploughed up as soon as practicable after it has ceased to be so used.

Pilgrims.

212. (1) The cantonment authority may provide or prescribe suitable routes for the use of persons passing through the cantonment—

(a) on their way to or from fairs or places of pilgrimage or other places of public resort; or

(b) during times when an infectious or contagious disorder is prevalent; and may, by public notice, require such persons as aforesaid to use such routes and no others.

(2) All routes provided or prescribed under sub-section (1) shall be clearly and sufficiently indicated by the cantonment authority.

CHAPTER XII.

SUPPRESSION OF MENDICANCY AND LOITERING AND REMOVAL OF DISORDERLY PERSONS.

Mendicancy.

213. No mendicant shall, in any street or public place in the cantonment, loiter or beg for alms.

Loitering and Importuning.

214. Whoever, in any street or public place in the cantonment, loiters for the purpose of prostitution or importunes any person to the commission of sexual immorality, shall be

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(3) Where an order is made under sub-section (1) without the previous sanction referred to in sub-section (2), the Commanding Officer of the cantonment shall forthwith send to the Officer Commanding the Division or the Commander-in-Chief, as the case may be, a copy of the order together with a statement of the reasons therefor.

217. Whoever, knowing that any person has, under sections 209, 215 or 216, been required to remove from the cantonment and has not obtained the requisite permission to re-enter it, harbours or conceals such person in the cantonment, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

CHAPTER XIII.

CARE OF ANIMALS.

Prevention of Cruelty.

218. Whoever ill-uses, tortures or cruelly beats any animal in the cantonment shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees.

219. (1) Unless the Officer Commanding the Division concurs with the cantonment authority in thinking that there is some special reason to the contrary, the cantonment authority shall apply to the Local Government to extend the Prevention of Cruelty to Animals Act, 1890, to the cantonment.

(2) In making an application under sub-section (1) the cantonment authority shall, unless there is some special reason to the contrary, suggest that the place appointed to be an infirmary under section 6, sub-section (2), of the said Act shall be the pound (if any) established for the cantonment under the Cattle-trespass Act, 1871.

(3) Where the Prevention of Cruelty to Animals Act, 1890, has been extended to any cantonment, the provisions of section 218 of this Code shall cease to have effect therein.

Grazing.

220. Every owner, or the person in charge, of an animal grazing on any land belonging to the Government in the cantonment shall be bound to keep it under proper care and control.

221. (1) Where any animal is found grazing on land belonging to the Government in the cantonment without being under proper care or control, it may be seized by any servant of the cantonment authority and sent within twenty-four hours to the nearest pound established under section 4 of the Cattle-trespass Act, 1871.

(2) Every animal so sent to the pound shall be dealt with as if it had been impounded under the provisions of the said Act, and the provisions of the said Act shall apply thereto.

(3) Every member of the police force employed in the cantonment shall, when required, aid in preventing resistance to any such seizure as aforesaid and rescues from persons making such seizures.

222. (1) Whoever takes delivery of any animal impounded from the pound-keeper (if any) appointed under section 6 of the Cattle-trespass Act, 1871, shall inform the pound-keeper of the name of the owner of the animal and the name of the person who had charge of the same at the time of its seizure.

(2) Whoever refuses to give the pound-keeper the information required by this rule, or wilfully gives him false information, shall be punishable with fine which may extend to fifty rupees.

CHAPTER XIV.

PREVENTION OF FIRE.

223. (1) No person shall in any place in the cantonment within one hundred yards of a public building or building having a thatched roof, or in any other place in which the collection of inflammable materials, or building matted structures in cantonment.

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or placing of highly inflammable materials may be prohibited by public notice issued by the cantonment authority,—

- (a) stack or collect dry grass, straw or any other highly inflammable material, or
- (b) build a matted structure or a cooking-place.

(2) The cantonment authority may, by notice in writing, require any person who has stacked or collected any grass, straw or other highly inflammable material, or has built a matted structure or a cooking-place, in contravention of the provisions of sub-section (1), to remove such stack, collection or structure as aforesaid within a time to be specified in the notice.

224. No person shall, without the general or special permission of the cantonment authority, or without payment of such fees as the cantonment authority may fix in that behalf, let off rockets or fire-works of any description, send up a fire-balloon or light a bon-fire.

225. No person shall set a naked light on or near any building in any street or public place in the cantonment in such manner as to cause danger of fire:

Provided that this prohibition shall not extend to the use of lights, with the permission in writing of the cantonment authority, for purposes of illumination on the occasion of a festival or public or private entertainment.

CHAPTER XV.

REGISTRATION OF BIRTHS AND DEATHS.

226. (1) The Cantonment Magistrate shall maintain registers, in such forms as may be prescribed by the Local Government, of all births and deaths occurring in the cantonment.

(2) No charge shall be made for the registration of any birth or death under this Chapter.

227. The head for the time being of every house or family in which any birth occurs, shall, within eight days after the event, report the same to the Cantonment Magistrate, together with the following particulars, namely:—

- (a) the date of the birth, and the sex and name (if any), of the child;
- (b) the name, place of residence and occupation, and the caste or religion (if any), of the father, if the person making the report is willing to furnish these particulars; and
- (c) the name and place of residence of the person making the report.

228. The head for the time being of every house or family in which any death occurs, shall, within twenty-four hours after the event, report the same to the Cantonment Magistrate, together with the following particulars, namely:—

- (a) the date of the death, the sex, name, age and occupation, and the caste or religion (if any) of the deceased, the cause of death, and the place of residence of the deceased at the time of death;
- (b) the name of the father, or, if the deceased was a married woman, the name of her husband, if the person making the report is willing to furnish these particulars; and
- (c) the name and place of residence of the person making the report.

229. It shall be the duty of every Medical Officer of the Government to report to the Cantonment Magistrate, as soon as practicable after the event, every birth and death occurring in the cantonment of which he may become cognizant in the exercise of his profession.

230. Whoever fails to comply with the provisions of section 227 or section 228, shall be punishable with fine which may extend to five rupees.

CHAPTER XVI.

APPOINTMENT OF AGENTS BY ABSENTEE OWNERS.

231. (1) Whoever, being the owner of any building or land in the cantonment, is absent therefrom, shall appoint some person residing in or near the cantonment to act as his agent.

The Cantonment Code, 1912.

agent for all the purposes of the Cantonments Act, 1910, and of this Code, and shall notify XV of 1910. such appointment to the Cantonment Magistrate in writing.

(2) Whoever fails to appoint an agent or to notify such appointment as required by sub-section (1), shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing failure, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having persisted in the failure.

232. (1) Where any person, by reason of his receiving the rent of immovable property as agent or trustee, or of his being as agent or trustee the person who would receive the rent if the property were let to a tenant, would, under any of the provisions of this Code, be bound to discharge any obligation imposed on the owner of the property for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had, in his hands funds sufficient for the purpose belonging to the owner.

Relief to agents and trustees.

[C/Act III of 1911, s. 223.]

(2) The burden of proof of the facts entitling an agent or trustee to relief under sub-section (1) shall lie on him.

(3) Where any agent or trustee has claimed and established his right to relief under this section, the cantonment authority may, by notice in writing, require him to apply to the discharge of such obligation as aforesaid the first moneys which shall come to his hands on behalf, or for the use, of the owner, and, on failure to comply with the notice, he shall be deemed to be personally liable to discharge the obligation.

CHAPTER XVII.

INSPECTION, ENTRY, SEARCH AND ARREST.

Inspection, Entry and Search.

233. The Officer Commanding the Division, the Officer Commanding the Brigade or the District Magistrate may enter into or on, and inspect, any building or land, if it appears to him to be necessary to do so in order to the exercise of any power conferred upon him by this Code.

234. The cantonment authority, by itself or by any person generally or specially authorised by it in this behalf, may—

- (a) enter into, or on, any building or land for the purpose of—
 - (i) removing any buildings or materials, or altering any building, in pursuance of a notice issued by the cantonment authority in accordance with the conditions of a lease executed under section 264; or
 - (ii) resuming any land in pursuance of a notice issued by the Local Government in accordance with the conditions of a lease executed as aforesaid; or
 - (iii) performing any act authorized by any of the provisions of sections 96, 97 and 290, sub-section (1); or
 - (iv) making any inspection authorized by the provisions of section 83, sub-section (1); or
- (b) enter into and inspect any place which is, or may recently have been, used as a burial or burning ground, if it appears to the cantonment authority to be desirable to do so in order to the carrying out of any of the provisions of this Code; or
- (c) enter into, or on, and inspect, any building or land in, on, or with respect to, which the cantonment authority has reason to believe—
 - (i) that a breach of any of the provisions of this Code has been committed; or
 - (ii) that any notice issued under this Code has not been duly complied with; or
 - (iii) that any conditions imposed under this Code have not been duly observed; or
 - (iv) that any notice should be issued under this Code; or
 - (v) that any conditions should be imposed under the provisions of Section 112, sub-section (2), section 148, sub-section (2), or section 173.

The Cantonment Code, 1912.

235. The Sanitary Officer, by himself or by any Medical Officer of the Government Entry, inspection and search by, or by the specially deputed by him, by an order in writing authority of, the Sanitary Officer. in this behalf, may—

- (a) enter into or on any building or land for the purpose of inspecting any receptacles or places provided under section 75 for the temporary deposit of offensive matter and rubbish; or
- (b) enter into, and inspect, any dairy, or any place at which a washerman washes or keeps clothes or other articles in the course of his business, if it appears to the Sanitary Officer to be necessary to do so in order to the prevention of the spread of any infectious or contagious disorder; or
- (c) enter into or on, and inspect, any building or land in or on which the Sanitary Officer has reason to believe that there is, or has recently been, any person suffering, or the corpse of any person who has died from any infectious or contagious disorder, and search for infected persons, corpses or articles therein or thereon; or
- (d) enter into or on any building or land in or on which the Sanitary Officer has reason to believe that there is any public conveyance which has been used for the carriage of a person suffering, or the corpse of a person who has died, from any infectious or contagious disorder, and which has not been disinfected; or
- (e) enter into or on, and inspect, any building or land in, on or with respect to which the Sanitary Officer has reason to believe—
 - (i) that any such nuisance as is described in section 67, clause (d), clause (e), clause (o) or clause (p), has been committed, or
 - (ii) that a breach of any of the provisions of sections 108, 126, 132, 150 to 154, 161, 175 to 178 and 197 has been committed; or
 - (iii) that any notice issued under section 191, section 196 or section 198 has not been duly complied with, or
 - (iv) that any conditions imposed under section 148, sub-section (2), or section 173, and affecting sanitation or hygiene, have not been duly observed, or
 - (v) that the cantonment authority should be moved to issue a notice under sections 77, 81, 82, 84, 85, 86, 102, 104, 105, 159, 160, 162, 165, 167, 169, 192 or 199, or to take any action under section 83, sub-section (1); or
- (f) enter into and inspect any private slaughter-house, or any structure therein for the purpose of assisting the Cantonment Magistrate in determining whether a license should be issued under section 129; or
- (g) enter on and inspect any land which it is proposed to use as a burial or burning ground, for the purpose of ascertaining whether any such permission as is referred to in section 148, sub-section (1), should be given; or
- (h) enter into or on, and inspect, any building or land for the purpose of advising the cantonment authority as to the conditions which should be imposed under section 173 in any license which it is proposed to grant under section 172; or
- (i) enter into or on, and inspect, any building or land in or on which the Sanitary Officer has reason to believe that there is any animal or flesh which has been brought into the cantonment in contravention of section 137, or has been slaughtered in contravention of section 124 and search for such animal or flesh; or
- (j) enter into or on, and inspect, any building or land, for the purpose of—
 - (i) ascertaining whether the Officer Commanding the Division should be moved to take any action under section 183, sub-section (1), or
 - (ii) advising the cantonment authority whether any, and, if so, what directions should be issued under section 92, sub-section (1), clause (b), clause (c) or clause (d); or
- (k) enter into or on, and inspect, any building or land with respect to which the Sanitary Officer has reason to believe that the cantonment authority should be moved to issue a notice under section 79, section 85, section 86 or section 98.

The Cantonment Code, 1912.

236. The Cantonment Magistrate, by himself or by any person generally or specially Entry, inspection and search by, or by the authorized by him in this behalf, may— authority of, the Cantonment Magistrate.

- (a) enter into or on, and inspect, any building or land for the purpose of—
 - (i) inquiring into occupation, ownership, agency, rights or any other matter required to be entered in any of the registers maintained under sections 271, 272 and 273, or
 - (ii) performing the duties imposed on the Cantonment Magistrate by section 17, sub-section (2), section 68, section 72 or section 78, clause (b), sub-clause (i), or
 - (iii) determining whether a license should be issued under section 117 or section 129, or
 - (iv) ascertaining whether a notice should be issued under section 187 or section 191, or
 - (v) cleansing or disinfecting a building or any articles therein, or renewing flooring in pursuance of the proviso to section 191; or
- (b) enter into or on, and inspect, any building or land in or on which the Cantonment Magistrate has reason to believe that there is the corpse of any person who has died from an infectious or contagious disorder, and search for such corpse; or
- (c) enter into and inspect any building which is being used, or is intended to be used, as a theatre or place of public entertainment or resort or any structure therein, for the purpose of enquiring into and testing the safety of such building or structure; or
- (d) enter into or on, and inspect, any building or land in or on which the Cantonment Magistrate has reason to believe that there is any animal or flesh which has been brought into the cantonment in contravention of section 137, and search for such animal or flesh; or
- (e) enter any building in order to enforce its surrender in pursuance of the conditions of a lease executed under section 264.

237. The Cantonment Magistrate or the Sanitary Officer may enter into any market Entry into, and inspection of markets by Sanitary Officer or Cantonment Magistrate. or any structure therein, and inspect the same or any article therein in the performance of the duty imposed upon him by section 115.

238. Where the cantonment authority has, under section 80, sub-section (1), provided Entry by public conservancy establishments. for the performance by its agents of the duties usually performed by sweepers in respect of any building or land, or of any privy, drain, cesspool or other receptacle for offensive matter pertaining to any building or land, the persons employed by it to perform such duties may enter into or on the building or land for the purpose of performing their duties.

239. (1) Every entry made under any of the foregoing sections 233 to 237 shall be Time of entry. made between sunrise and sunset :

Provided that, if in any such case the authority empowered by any of the said sections to make or authorize an entry thinks it necessary, in the interests of the public health or safety, that entry should be made at any other time, it may, for reasons to be recorded in writing, make such entry, or authorize it to be made, at any reasonable time between sunset and sunrise.

(2) Any entry made under section 238 may be made at any reasonable time.

240. When any building used as a human dwelling is entered under this Chapter, due Precautions to be observed in entering dwelling. regard shall be paid to the social and religious sentiments of the occupiers; and no apartment in the actual occupancy of a woman shall be entered under this Chapter until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her for withdrawing.

241. Every entry and inspection made under section 234, clause (b), shall be made Precautions to be observed in entering and inspecting burial or burning ground. under such arrangements as shall ensure due regard for the religious feelings of the community concerned.

Arrest without Warrant.

242. Any member of the police force employed in the cantonment may, without a warrant, arrest any person committing in his view a breach of any of the provisions of this Code specified in the first column of Schedule IV :

The Cantonment Code, 1912.

Provided, first, that in the case of the breach of any such provision as is specified in Part B of the said schedule, no person shall be so arrested whose name and address are known to either the complainant or the arresting officer:

Provided, secondly, that no person shall be so arrested who consents to give his name and address, unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall lie on the arresting officer:

Provided, thirdly, that no person so arrested shall be detained after his name and address have been ascertained:

Provided, fourthly, that no person so arrested shall, except under the order of a Magistrate, be detained longer than may be necessary for bringing him before a Magistrate: and

Provided, fifthly, that no person shall be so arrested for a breach of the provisions of section 214, except—

XV of 1910.

- (a) at the request of the person importuned or of an officer, as defined in the Cantonments Act, 1910, in whose presence the breach was committed; or
- (b) by, or at the request of, a member of the British military police force employed in the cantonment and specially authorized in this behalf by the Commanding Officer of the cantonment, in whose presence the breach was committed, or of any police officer not below the rank of an officer in charge of a police station, who is employed in the cantonment and specially authorised in this behalf by the commanding officer of the cantonment.

CHAPTER XVIII.

SERVICE OF SUMMONSES, NOTICES, ETC.

243. (1) Unless it is in this Code in any case otherwise expressly provided, any Service of summonses, notices, requisitions and summons, notice, requisition or other document other documents. issued thereunder may be served by being delivered to the person to whom it is addressed, or by being left at his usual place of abode or business with some adult male member or servant of his family, or, if it cannot be so served, may be affixed on some conspicuous part of his usual place of abode or business.

(2) Where the usual place of abode or business of the person to whom the summons, notice, requisition or document is addressed, is not in the cantonment, it may be served by posting it in a registered cover addressed to his usual place of abode or business.

(3) Where the usual place of abode or business of the owner of any property is not known, any such summons, notice, requisition or document, addressed to him as such owner, may be served on the occupier.

(4) Where the usual place of abode or business of the occupier of any property is not known, any such summons, notice, requisition or document addressed to him, as such occupier may be served by affixing it on some conspicuous part of the property.

244. The service of a summons, notice, requisition or other document as aforesaid on any agent appointed by an absentee owner shall be deemed to be service on the owner.
Service on agent of absentee owner.

CHAPTER XIX.

APPEAL AND REVISION.

245. (1) Any person aggrieved by any of the executive orders described in the second column of Schedule V may appeal to the authority specified in that behalf in the third column of the said schedule.
Appeals from executive orders when allowed and to whom to lie.

(2) No such appeal shall be admitted unless made within the period specified in that behalf in the fourth column of the said schedule.

(3) The period specified as aforesaid as the time allowed for making an appeal shall be computed in accordance with the provisions of the Indian Limitation Act, 1908, with respect to the computation of the period of limitation thereunder.

IX of 1908.

246. (1) Every appeal under this Code shall be made by petition in writing accompanied by a copy of the order appealed against.
Petition of appeal.

(2) Any such petition as aforesaid may be presented to the authority which made the order appealed against; and that authority shall be bound to forward it to the appellate

The Cantonment Code, 1912.

authority, and may attach thereto any report which it may desire to make by way of explanation.

(8) Where any such petition as aforesaid is presented direct to the appellate authority and an immediate order thereon is not necessary, the appellate authority may refer the petition for report to the authority which made the order appealed against.

247. On the admission of an appeal from an order, other than an order contained in a notice issued under—
Suspension of action pending appeal.

(a) Section 78, clause (e),

(b) Section 85,

(c) Section 96,

(d) Section 209, sub-section (1),

(e) Section 215, sub-section (3), or

(f) Section 216,

all proceedings to enforce the order and all prosecutions for any breach thereof shall be held in abeyance pending the decision of the appeal, and, if the order is set aside on appeal, disobedience thereto shall not be deemed to be an offence.

248. (1) Where an appeal from an order made by the Cantonment Magistrate dismissing, under section 21, a servant of the cantonment authority whose salary is not less than one

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hundred rupees a month, has been disposed of by the Officer Commanding the Division, the servant so dismissed, if he is dissatisfied with the decision of the Officer Commanding the Division may, within thirty days from the date thereof, apply to the Governor-General in Council for a review of that decision.

(2) Where an appeal from an order made by the cantonment authority has been disposed of by the District Magistrate, the cantonment authority, if it is dissatisfied with the decision of the District Magistrate, may, within thirty days from the date thereof, apply, through the Officer Commanding the Division, to the Local Government, or to such authority as the Local Government may appoint in this behalf, for a review of that decision.

(3) The provisions of this Chapter with respect to appeals shall apply, so far as may be, to applications for review made under this section.

249. Save as otherwise provided in section 248, the order of the appellate authority confirming, setting aside or modifying an order appealed against shall be final:
Finality of appellate orders.

Provided that no order shall be confirmed, set aside or modified on appeal unless and until the appellant has had a reasonable opportunity of being heard.

CHAPTER XX.

COMMITTEES OF ARBITRATION.

250. On a requisition being made to him under Condition XVIII or Condition XIX set forth in a lease executed under section 264 in Forms B or D in Schedule VI, within the period mentioned in such Condition, the Commanding Officer of the cantonment shall forthwith proceed to convene a committee of arbitration—
Obligation of Commanding Officer of cantonment to convene a committee of arbitration to decide question as to rent or repairs.

(a) to determine the amount of monthly rent to be paid; or

(b) to determine whether any, and, if so, what, repairs are necessary, and the extent to which they are necessary.

251. (1) On an application being made to him under Condition XX or Condition XXI set forth in a lease executed under section 264 in Forms B or D in Schedule VI the Commanding Officer of the cantonment may, after such inquiry as he may think fit to make, proceed to
Discretion of Commanding Officer of cantonment to convene a committee of arbitration to decide question as to condition of house or as to rent or repairs.

convene a committee of arbitration—

(a) to determine whether the house has become unfit for occupation; or

(b) to determine the amount of monthly rent to be paid; or

(c) to determine whether any, and, if so, what, repairs are necessary, and the extent to which they are necessary; or

(d) otherwise to determine the question in dispute.

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(2) In the exercise of the discretion vested in him by this section, the Commanding Officer of the cantonment may refuse to convene a committee of arbitration on the ground that the application therefor is groundless or frivolous, or for any other sufficient reason.

252. Where the cantonment authority and the person or persons concerned are unable to agree as to the amount of any compensation payable under the first proviso to section 83, sub-section (3), or under proviso (c) to section 104, sub-section (1), the Commanding Officer of the cantonment shall proceed to convene a committee of arbitration to determine the amount payable.

253. (1) Where a committee of arbitration is to be convened, the Commanding Officer of the cantonment shall cause an order to be published in Station Orders, stating the matter to be determined by the committee of arbitration.

(2) The Cantonment Magistrate shall send a copy of the order published under sub-section (1) to the District Magistrate and to the parties concerned, and shall, by notice in writing, require the parties to nominate members of the committee of arbitration as hereinafter provided.

Composition of committee of arbitration convened under section 250 or 251.

254. Every committee of arbitration convened under section 250 or 251 shall consist of—

- (a) the District Magistrate or, if it is inconvenient for him to act, some Magistrate, being a justice of the peace, appointed by him to act in his stead;
- (b) a member to be nominated by the officer concerned; and
- (c) a member to be nominated by the lessee:

Provided that, if such officer or lessee as aforesaid fails to nominate a member within seven clear days from the date on which he is called upon to do so, or if any member who has been nominated, neglects or refuses to act and such officer or lessee, as the case may be, fails to nominate, within seven clear days from the date on which he is called upon to do so, another member who is willing to act, the Commanding Officer of the cantonment shall forthwith appoint a member in the place of such nominee.

Composition of committee of arbitration convened under section 252.

255. Every committee of arbitration convened under section 252 shall consist of—

- (a) the District Magistrate or, if it is inconvenient for him to act, some Magistrate, being a justice of the peace, appointed by him to act in his stead;
- (b) a member to be nominated by the person or persons concerned; and
- (c) a member to be nominated by the cantonment authority:

Provided that, if such person or persons concerned as aforesaid fails or fail to nominate a member within seven clear days from the date on which he or they is or are called upon to do so, or if any member who has been nominated by such person or persons, neglects or refuses to act and such person or persons fails or fail to nominate, within seven clear days from the date on which he or they, is or are, called upon to do so, another member who is willing to act, the Commanding Officer of the cantonment shall forthwith appoint a member in the place of such nominee.

256. No person shall be nominated or appointed a member of a committee of arbitration unless he is personally disinterested in the matter under reference and his services are immediately available for the purposes of the arbitration; and the nomination of any person who is, in the opinion of the Commanding Officer of the cantonment, personally interested in the matter under reference or whose services are not immediately available as aforesaid, shall be deemed to constitute a failure to make a nomination within the meaning of the foregoing provisions.

Members of committee of arbitration to be persons who are not personally interested, and whose services are immediately available.

arbitration; and the nomination of any person who is, in the opinion of the Commanding Officer of the cantonment, personally interested in the matter under reference or whose services are not immediately available as aforesaid, shall be deemed to constitute a failure to make a nomination within the meaning of the foregoing provisions.

257. When a committee of arbitration has been duly constituted, the Cantonment Magistrate shall, by notice in writing, inform each of the members of the fact, and the committee of arbitration shall assemble within seven clear days from the service of the notice.

258. The District Magistrate or the Magistrate appointed by him to act in his stead shall be the chairman of every committee of arbitration.

Chairman of committee of arbitration.

259. For the purpose of determining the amount of monthly rent to be paid for a house, every committee of arbitration shall estimate, as nearly as may be, the market-value of all buildings and authorized additions; and the amount of rent determined upon shall be such percentage on such market-value as the committee of arbitration may think reasonable with reference to the circumstances of the neighbourhood and the period of time and season for which the house is likely to be occupied during the year, and shall include the

Calculation of rent by committee of arbitration.

The Cantonment Code, 1912.

taxes (if any) levied upon the land, or such proportion thereof as the committee of arbitration may find to be customarily paid for the time being in the neighbourhood by tenants.

260. (1) The decision of every committee of arbitration shall be determined by the majority of the votes taken at a meeting at which all the members are present.

Decision of committee of arbitration to be by vote and final.

(2) The decision of every committee of arbitration shall be final.

CHAPTER XXI.

APPLICATIONS FOR BUILDING-SITES ON GOVERNMENT LAND IN CANTONMENTS.

261. Every application for permission to occupy, for the purposes of a building-site, land belonging to the Government in a cantonment shall be submitted to the cantonment authority in writing, and shall contain the following particulars, namely:—

Applications for permission to occupy Government land for building-sites.

- (a) the situation, area and boundaries of the land;
- (b) the materials to be used in the intended buildings;
- (c) the period after the date of occupation within which the intended buildings are to be completed; and
- (d) the purposes for which the land and the intended buildings are to be used.

Documents to accompany applications.

262. Every application made under section 261 shall be accompanied by—

- (a) a plan, on a scale not smaller than one hundred and ten feet to the inch, showing—
 - (i) the boundaries of the land,
 - (ii) the roads or lands adjoining, and
 - (iii) all buildings intended to be erected on the land;
- (b) a ground plan and elevation of the principal building intended to be erected, showing the dimensions of the same;
- (c) a statement of the buildings intended to be erected;
- (d) an approximate statement of the intended outlay on the buildings and on the rent which it is proposed to charge for the same, if let to a tenant; and
- (e) a declaration that the applicant has read the appropriate form of lease referred to in section 264 and undertakes, in the event of his application being sanctioned, to execute a lease in that form.

263. (1) Every application made under section 261 shall, if the procedure prescribed by that section and section 262 has been duly observed, be referred by the cantonment authority to the Executive Engineer—

Disposal of such applications.

- (a) for verification of the plan referred to in section 262, clause (a); and
 - (b) for report as to whether the land is in the vicinity of a fortified place, whether the land is, in the opinion of the Executive Engineer, likely to be required for any public purpose, and whether there is any departmental objection to the application being sanctioned.
- (2) On receipt of such verification and report as aforesaid, the application shall be submitted to the Commanding Officer of the cantonment.
- (3) If the Commanding Officer of the cantonment considers that occupation of the land in the manner proposed would not be objectionable, either as regards the health or comfort of the troops or in any other respect, he shall attach to the application a certificate to that effect, and shall forward the application to the Officer Commanding the Division for sanction;

Provided as follows:—

- (a) Where the Commanding Officer of the cantonment is not the Officer Commanding the Division, the application shall be forwarded to the Officer Commanding the Division through the Officer Commanding the Brigade, if any;
- (b) The cantonment authority, the Commanding Officer of the cantonment, the Officer Commanding the Brigade, or the Officer Commanding the Division, as the case may be, may reject the application:

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(c) If the land is in the vicinity of a fortified place or is applied for by a railway company, the application shall not be sanctioned without the express orders of the Governor-General in Council, obtained through such channel as the Governor-General in Council may direct :

(d) If the land is applied for for purposes of erecting a hospital, school or other public building, or if it is intended to set apart for occupation by civil officers the house to be erected on the land, the application shall not be sanctioned without the concurrence of the Local Government.

264. (1) When an application under this chapter is sanctioned, the applicant shall not occupy the land, nor erect any building thereon until, at his expense, there shall have been prepared in counterpart and, after execution, shall have been duly registered in accordance with the law for the time in force relating to the registration of documents, a lease as nearly as may be in one of the forms indicated in Schedule VI hereto appended and subject to the conditions set forth in the annexure to such form or in such other form as the Governor-General in Council may by notification prescribe in this behalf.

"*Explanation.*—Form A in Schedule VI shall be applicable to leases of land applied for by a railway company, or for the purpose of erecting a hospital, school or other public building. Form B shall be applicable in cases of extensions of existing sites ; or where it is desired to regularise existing grants ; or in other exceptional cases where the grant of leases for a term of years is not suitable ; Form C shall be applicable to leases of land situate in a bazar ; and Form D shall be applicable to all other leases of land under this Chapter."

(2) To every lease and to its counterpart there shall be appended a site-plan of the land prepared at the cost of the applicant on a scale not smaller than one hundred and ten feet to the inch, showing—

- (a) the boundaries of the land ;
- (b) the roads or lands adjoining ; and
- (c) all buildings authorised to be erected on the land.

(3) The site-plan shall be verified by the Executive Engineer and shall be signed,—

- (a) if the land is situate in a bazar, by the Cantonment Magistrate,
- (b) if the land is not situate in a bazar, by the Officer Commanding the Brigade, or if there is no such officer the Commanding Officer of the cantonment,

and shall be endorsed with the date of its preparation, the name of the lessee and a note specifying the period within which the buildings to be erected on the land are to be completed.

(4) One copy of the site-plan, prepared at the cost of the applicant and verified by the Executive Engineer, shall be delivered by the applicant to the cantonment authority.

265. When the requirements of section 264 have been complied with the cantonment authority shall—

Grant and record of leases.

- (1) grant to the applicant the lease with site-plan annexed and deliver to him possession of the land ;
- (2) transmit for record to the head-quarters of the Division or Independent Brigade the counterpart with site-plan annexed ; and
- (3) record in its office a copy of the lease authenticated by the signature of the Cantonment Magistrate and accompanied by the copy of the site-plan referred to in section 264, sub-section (4).

CHAPTER XXII.

REGISTRATION OF IMMOVEABLE PROPERTY IN CANTONMENTS.

266. The cantonment authority shall prepare and maintain a general plan of the cantonment, on a scale of not less than twelve inches to the mile, showing all necessary details

General plan.

and distinguishing in particular—

- (a) all houses (if any) which have been set apart, in accordance with the conditions of leases executed under section 264, for occupation by civil officers ; and

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- (b) all land (if any) which does not belong to the Government, and all houses (if any) situate thereon.

267. The cantonment authority shall also prepare and maintain a bazar-plan, on a scale not smaller than one hundred and ten feet to the inch, of every bazar in the cantonment.

Bazar-plan.

268. (1) Every site shall be shown under a distinguishing number on the plans prepared under this Chapter, and the numbers for each bazar shall form a separate series.

Sites and streets to be distinguished.

(2) Every street shall be shown on such plans as aforesaid by its name or under an alphabetical letter or number.

269. (1) Every plan prepared under this Chapter shall, on completion, be dated and authenticated by the signature of the Executive Engineer.

Dating and authentication of plans.

(2) Whenever a general plan prepared under section 266 is altered, the alteration shall be explained on the plan in a memorandum dated and signed by the Executive Engineer.

270. No plan which relates to land in a cantonment and is in the custody of the cantonment authority or of any public officer, other than a plan submitted with an application under Chapter XXI, shall be destroyed without the previous sanction of the Governor-General in Council.

Plans not to be destroyed without sanction.

271. The Cantonment Magistrate shall maintain a register showing, in regard to all Government land held by lessees and not situate outside bazars. Government land held by lessees and not situate in a bazar (whether the sites were occupied by the lessees before or after the commencement of the Cantonment Code, 1899) and the buildings situate thereon, the following particulars, so far as they can be ascertained, namely:—

- (a) the name of the cantonment, and the number and date of any orders declaring it to be a cantonment or defining its limits;
- (b) a reference to any similar register kept before the commencement of the Cantonment Code, 1899;
- (c) the date of registry of the site;
- (d) the number of the site, as shown on the general plan maintained under section 266;
- (e) the dimensions of the site;
- (f) the boundaries of the site;
- (g) in the case of a site occupied before the commencement of the Cantonment Code, 1899, the date of the permission to occupy the site, and, in the case of a site occupied after the commencement of the Cantonment Code, 1899, the date of the lease executed by the lessee under the said Code, or under section 264;
- (h) the name and description of the lessee at the date of registry;
- (i) the name and description of the lessee's agent (if any) at the date of registry;
- (j) the nature of the lessee's right under this and the Cantonment Code, 1899, or under any other provision of law, including the particulars of any special right of occupancy;
- (k) the estimated value of buildings on the site at the date of registry;
- (l) the dates of authorities to add to buildings; and
- (m) all changes occurring from time to time, whether by transfer, by alterations or additions, by decisions of committees of arbitration, in dimensions, in value, or in agency.

Explanation.—In this section, the expression "date of registry" means the date of entry in the register maintained hereunder.

272. The Cantonment Magistrate shall maintain a register showing, in regard to all Government land held by lessees and situate in bazars. Government land held by lessees and situate in a bazar (whether the sites were occupied by the lessees before or after the commencement of the Cantonment Code, 1899) and the buildings situate thereon, the following particulars, so far as they can be ascertained, namely:—

- (a) the name of the bazar;
- (b) a reference to any similar register kept before the commencement of the Cantonment Code, 1899;
- (c) the date of registry of the site;

The Cantonment Code, 1912.

- (d) the number of the site, as shown on the bazar-plan maintained under section 267 ;
- (e) the dimensions of the site ;
- (f) the boundaries of the site ;
- (g) in the case of a site occupied before the commencement of the Cantonment Code, 1899, the date of the permission to occupy the site, and in the case of a site occupied after the commencement of the Cantonment Code, 1899, the date of the lease executed by the lessee under the said Code or under section 264 ;
- (h) the name and description of the lessee at the date of registry ;
- (i) the name and description of the lessee's agent (if any) at the date of registry ;
- (j) the estimated value of buildings on the site at the date of registry ; and
- (k) all changes occurring from time to time, whether by transfer, by alterations or additions, in dimensions, in value, or in agency.

Explanation.—In this section, the expression "date of registry" means the date of entry in the register maintained hereunder.

273. The Cantonment Magistrate shall maintain a register showing, in regard to all land (if any) which is private property, and the buildings situate thereon, the following particulars, so far as they can be ascertained, namely:—

- (a) the name of the cantonment, and the number and date of any orders declaring it to be a cantonment or defining its limits ;
- (b) a reference to any similar register kept before the commencement of the Cantonment Code, 1899 ;
- (c) the date of registry of the site ;
- (d) the number of the site as shown on the general plan ;
- (e) the dimensions of the site ;
- (f) the boundaries of the site ;
- (g) the name and description of the owner at the date of registry ;
- (h) the name and description of the owner's agent (if any) at the date of registry ;
- (i) the particulars of the owner's right by reference to any acknowledgment by the Government, or any other proof ;
- (j) the estimated value of buildings on the site at the date of registry ; and
- (k) all changes occurring from time to time, whether by transfer, by alterations or additions, in dimensions, in value, or in agency.

Explanation.—In this section the expression "date of registry" means the date of entry in the register maintained hereunder.

274. (1) The Cantonment Magistrate shall maintain a register of transfers, in which he shall from time to time enter references to all transfers of immoveable property—

- (a) registered in his own office, where he is himself Registrar or Sub-Registrar of the cantonment under the Indian Registration Act, 1908, or

XVI of 1908.

- (b) appearing in the copies forwarded to him by the Registrar of the district under section 29, sub-section (2), of the Cantonments Act, 1910,

XV of 1910.

as the case may be.

(2) The register of transfers shall contain the following particulars, namely:—

- (a) a serial number for each transfer ;
- (b) the date of registry ;
- (c) the distinguishing number of the site, as recorded in the register maintained under section 271, 272 or 273, as the case may be ;
- (d) the name of the transferor ;
- (e) the name of the transferee ;
- (f) the nature of the transfer, that is to say, whether by sale, mortgage, gift, exchange or bequest ;
- (g) the date of the transfer ; and,
- (h) where the cantonment has been constituted a district or sub-district for the purposes of the Indian Registration Act, 1908, references to the Indices Nos. I, II and III kept in the cantonment under sections 54 and 55 of that Act.

XVI of 1908.

The Cantonment Code, 1912.

Explanation.—In this section the expression “date of registry” means the date of entry in the register maintained hereunder.

275. Reference, when possible, to the serial number in the register of transfers shall be sufficient record, in the registers maintained under sections 271, 272 and 273, respectively, of changes occurring by transfer.

276. (1) The cantonment authority shall, in the month of July in each year, make an inspection of the registers maintained under sections 271, 272 and 273, respectively, and shall ascertain—

(a) whether all the changes referred to in section 271, clause (m), or in section 273, clause (k), which have taken place during the last preceding twelve months, have been duly noted in the appropriate register, and

(b) whether any of the said registers are in such a condition as to require renewal.

(2) The cantonment authority may give such directions as it thinks fit after making an inspection under sub-section (1), and shall send a brief report to the Officer Commanding the Brigade or Division, as the case may be, of any action taken by it under this section.

CHAPTER XXIII.

SUPPLEMENTAL.

Bye-laws.

277. The cantonment authority of a cantonment wholly or in part situated in a hilly tract may make bye-laws for regulating or prohibiting the cutting or destroying of trees or shrubs, or the making of excavations or removal of soil or quarrying, where such regulation or prohibition appears to the cantonment authority to be necessary for the maintenance of a water-supply, the preservation of the soil, the prevention of land-slips or of the formation of ravines or torrents, or the protection of land against erosion or the deposit thereon of sand, gravel or stones: [G. Act III of 1911, s. 198 (a).]

Provided that in no cantonment in which a Cantonment Committee has been constituted shall any bye-laws be made except at a meeting of which at least six clear days' notice shall have been given.

278. (1) In making a bye-law under section 174 or section 277, the cantonment authority may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine not exceeding five rupees for every day after the first in regard to which the offender is convicted of having persisted in the breach. [G. Act III of 1911, s. 199.]

(2) In lieu of or in addition to such fine as aforesaid, the Magistrate may require the offender to remedy the mischief so far as it lies within his power to do so.

279. (1) No bye-law made under section 174 or section 277 shall come into force until it has been confirmed by the Local Government and published for such time and in such manner as the Local Government may prescribe in this behalf. [G. Act III of 1911, s. 201.]

(2) The Local Government may cancel its confirmation of any such bye-law, and thereupon the same shall cease to have effect.

280. (1) The cantonment authority shall, before making any bye-laws under section 174 or section 277, publish, in such manner as may, in its opinion, be sufficient for giving information to persons interested, a draft of the proposed bye-laws, with a notice specifying a date on or after which the draft will be taken into consideration, and shall, before making such bye-laws, consider any objection or any suggestion which may be received from any person with respect to the draft before the date so specified. [G. Act III of 1911, s. 200.]

(2) If, on such consideration of the draft, any modification is made, the Local Government shall determine whether or not the draft shall be re-published for further criticism under this section.

The Cantonment Code, 1912.

(3) Every bye-law made by the cantonment authority shall be notified in English and in such other language or languages as the Local Government may direct; and such notification shall be conclusive proof that such bye-law has been duly made in accordance with the requirements of this section.

Delegation of Functions.

281. (1) With the previous sanction of the Governor-General in Council, the Local Government may, by order published in the local official Gazette, authorize any person mentioned in such order to discharge any of the functions imposed by this Code on the Cantonment Magistrate, except those imposed by Chapter XXI:

Provided, first, that a person so authorized shall discharge such of the said functions only as the Cantonment Magistrate may, by order in writing, assign to him; and

Provided, secondly, that the Cantonment Magistrate may, by a like order, resume any functions which he may have so assigned.

(2) In the discharge of any functions so assigned to him, such person as aforesaid shall, under the control of the Cantonment Magistrate, have the same powers and responsibilities as the Cantonment Magistrate.

282. With the previous sanction of the Governor-General in Council, the Officer Commanding the Division may, by notification in Divisional Orders, delegate any of his functions under this Code, to any officer named in such notification; and may, in like manner, vary or rescind any notification so made.

283. (1) The Cantonment Committee may, by order in writing, delegate any of its functions to a sub-committee consisting of any two or more of the members of the Cantonment Committee.

(2) Every order passed by a sub-committee appointed under sub-section (1) shall have the same effect as an order of the Cantonment Committee:

Provided that the Cantonment Committee may, in any particular case, require that any order so passed be submitted to it for confirmation before issue.

Notices.

[Cf. Act III of 1911, ss. 214 (1) and 219(proviso).] 284. Where any notice issued under any section of this Code requires an act to be done for which no time is fixed by such section, the notice shall specify a reasonable time for doing the same; and it shall rest with the Court to determine whether the time so specified was a reasonable time within the meaning of this section.

[Cf. Act III of 1911, s. 216.] 285. Where it is provided by this Code that a notice may be given to the owner, lessee or occupier of any land or building, and the owner or lessee and the occupier are different persons, the notice shall be given to the one of them primarily liable to comply with such notice, and, in case of doubt, to both of them:

Provided that, where there is no owner or lessee resident in the cantonment, the delivery of the notice to the occupier shall be sufficient.

Authentication and validity of notice issued by cantonment authority.

286. Every notice issued by the cantonment authority under this Code shall be signed—

(a) by the President or Secretary of the Cantonment Committee (if any); or

(b) by the members of any sub-committee specially authorized by the Cantonment Committee (if any) in this behalf; or

(c) if a Cantonment Committee has not been constituted or has ceased to exist or cannot be convened, by the Commanding Officer of the cantonment.

287. (1) Unless it is in this Code in any case otherwise expressly provided, every public notice issued thereunder shall be published by proclamation or in such other manner as the Local Government may direct.

(2) Such proclamation as aforesaid shall be made by such method as the authority issuing the notice, or the Cantonment Magistrate, may deem to be the customary method.

The Cantonment Code, 1912.

[G. Act III
of 1911, s.
37.]

297. No act done or proceeding taken under this Code shall be questioned merely by reason of the existence of any vacancy in the Cantonment Committee or in any sub-committee, or on account of any defect or irregularity not affecting the merits of the case.

[G. Act III
of 1911, s.
208.]

298. (1) A copy of this Code and of any bye-laws made under section 174 or section 277 shall be kept at the office of the cantonment authority, and shall be open during office hours to the inspection, free of charge, of any inhabitant of the cantonment.

(2) Copies of any bye-laws as aforesaid shall be kept at the office of the cantonment authority for sale to the public.

(3) Copies of this Code will be kept at the office of the Superintendent, Government Printing, India, Calcutta, for sale to the public.

The Cantonment Code, 1912.

SCHEDULE I.

FORM 2.

RECEIPT.

[To be given to the person from whom the money is received.]

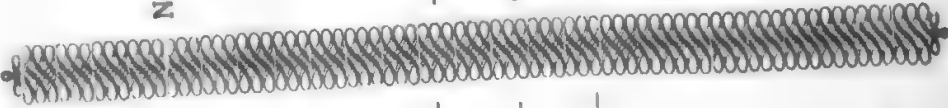
No. _____, Dated _____

Received from _____

on account of _____

Rs. _____

Signed _____



[To be retained in Cantonment Authority's Office.]

No. _____

Dated _____

Received from _____

on account of _____

Rs. _____

The Cantonment Code, 1912.

SCHEDULE I.

FORM 4.

CANTONMENT FUND CHEQUE.

Cheque Book No. _____

Cheque No. _____

Dated _____ 19 ____

To the Officer in charge of the Treasury at _____

Pay to _____

Rs. _____

and charge to the _____

Cantonment Fund.

Under
Rs.

Signed _____

Secretary, Cantonment Committee,

or

President, Cantonment Committee,

or

Commanding Officer of the Cantonment.

This cheque is current for three months only.

The Cantonment Code, 1912.

SCHEDULE 1.

FORM 6.

Imprest Register of the _____

Amount of Imprest, Rs. _____

Date.	No. of Sub-Voucher.	To whom paid.	Particulars of payments	CLASSIFICATION.		Amount.
				Major head.	Minor head and sub-head.	
		Total drawn from treasury by Cheque No. _____ on Voucher No. _____				

PART I]

THE GAZETTE OF INDIA, MARCH 2, 1912.

265

The Cantonment Code, 1912.

Explanatory Remarks.

The Cantonment Code, 1912.

Explanatory Remarks.

PART I] .

THE GAZETTE OF INDIA, MARCH 2, 1912.

271

The Cantonment Code, 1912.

Explanatory Remarks.

The Cantonment Code, 1912.

Explanatory Remarks.

The Cantonment Code, 1912.

SCHEDULE I.

FORM 8—APPENDIX B.

Detailed List of expenditure provided for in the Cantonment Fund Budget Estimates other than that included in Appendices A, C, and D.

1	2	3	4	5	6
Major Head.	Minor Head.	Details.	Actuals, 19 -19 (past year).	Revised Estimate, 19 -19 (current year).	Estimate, 19 -19 (ensuing year).
1.—Refunds	Refunds of taxes.				
	Miscellaneous refunds.				
2.—Collection of Revenue.	Contingencies.				

The Cantonment Code, 1912.
SCHEDULE I.
FORM 8—APPENDIX B—contd.

1	2	3	4	5	6
Major Head.	Minor Head.	Details.	Actuals, 19 -19 (past year).	Revised Estimate, 19 -19 (current year).	Estimate, 19 -19 (ensuing year).
3.—General Ad- ministration.	Contingencies.				
4.—Law and Justice.	Courts of Law. Jails.				
5.—Grants to Charitable and Educational Institutions.					

The Cantonment Code, 1912.
SCHEDULE I.
FORM 8—APPENDIX B—contd.

1	2	3	4	5	6
Major Head.	Minor Head.	Details.	Actuals, 19 -19 (past year).	Revised Estimate, 19 -19 (current year).	Estimate, 19 -19 (ensuing year).
6.—Medical.	Hospitals and Dispensaries. Contingencies.				
	Vaccination. Contingencies.				
	Epidemics, etc. Contingencies.				

The Cantonment Code, 1912.
SCHEDULE I.
FORM 8—APPENDIX B—*contd.*

1	2	3	4	5	6
Major Head.	Minor Head.	Details.	Actuals, 19 -19 (past year).	Revised Estimate, 19 -19 (current year).	Estimate, 19 -19 (ensuing year).
7.—Minor Department.	Public gardens, tree-tending and forests contingencies.				
	Lighting contingencies.				
	Conservancy contingencies.				
	Water-supply contingencies.				

The Cantonment Code, 1912.

SCHEDULE I.

FORM 8—APPENDIX B—concl'd.

1	2	3	4	5	6
Major Head.	Minor Head.	Details.	Actuals, 19 -19 (past year).	Revised Estimate, 19 -19 (current year).	Estimate, 19 -19 (ensuing year).
8.—Superan- nuations.	Pension * and contribution to Provident Funds.				
	Rents, rates and taxes.				
9.—Miscel- laneous.	Contingencies.				
	Cattle-pound contingencies.				
11.—Deposits and Advances.					

Note—All expenditure should be fully detailed in column 3 thus—

Purchase of three Crowley carts	...	...	...	...	...	...	...	...	...	Rs.	a.	p.
" of bullocks	...	...	...	...	...	...	...	...	...	450	0	0
Feed of bullocks	...	...	...	...	...	...	...	...	...	100	0	0
Repairs and renewals to pans and receptacles	...	...	...	...	...	...	...	...	...	168	0	0
Purchase of gear	...	...	...	...	...	...	...	...	...	100	0	0
† Miscellaneous not included in above, but excluding any reserve	...	...	...	...	...	...	...	...	...	50	0	0
	...	...	...	...	...	...	...	...	...	100	0	0
Total										968	0	0

* Sanctioned prior to the commencement of the Cantonment Code, 1899, which does not allow the grant of pensions or gratuities.

† This should include all petty expenditure which cannot be detailed, but should not include anything of the nature of a reserve.

The Cantonment Code, 1912.

SCHEDULE I.

FORM 8—APPENDIX C.

MAJOR HEAD "10—Public Works."

Details of Budget Estimate for Original Works (Construction of Buildings, Roads, Latrines, etc.,) in the _____ Cantonment for the year 19 ____.

1	2	3	4	5	6	7
Sub-heads..	Nature of each work.	Estimated cost of work.	* Revised estimate for current year.	Previously expended.	Estimate for ensuing year.	REMARKS.
Buildings ...						
	Total "Buildings" ...					
Roads ...						
	Total "Roads" ...					
Other works ...						
	Total "Other Works" ...					

Note.—Column 3 will show the entire cost of the work; column 4, the sum sanctioned for expenditure during the current year; column 5, the amount previously expended since commencement of the work; and column 6, the amount proposed for expenditure during the ensuing year. Thus if the work is to be completed during the ensuing year, the total of columns 4, 5 and 6 will equal that in column 3; otherwise the difference will show amount which will still be required to complete the work.

* The totals in column 4 will agree with the allotments made in the body of the revised estimate for the current year.

The Cantonment Code, 1912.
SCHEDULE I.
FORM 8—APPENDIX D.

MINOR HEAD "10—Public Works."

Details of Budget Estimate for Maintenance and Repairs in the _____ Cantonment for the year _____.

Sub-heads.	Nature of each work.	Actuals, 19 -19 (past year).	Revised Estimate. 19 -19 (current year.)	Estimate, ensuing year.	REMARKS.
Buildings					
	Total "Buildings" ...				
Roads					
	Total "Roads" ...				
Other Works					
	Total "Other Works" ...				
Petty Construction and Repairs					
	Total "Petty Construction and Repairs"				

The Cantonment Code, 1912.
SCHEDULE 1.

FORM 8—APPENDIX F.
Abstract of Receipts and expenditure of the Cantonment Fund.

Receipts	Average, 19-19 to 19-19 (past 3 years).	Actual, 19-19 (past year).	Revised Estimate, current year 19-19.	Estimate, ensuing year 19-19.	AMOUNT BY WHICH COLUMN 5		Expenditure.	Average, 19-19 to 19-19 (past 3 years).	Actual, 19-19 (past year).	Revised Estimate, current year 19-19.	Estimate, ensuing year 19-19.	AMOUNT BY WHICH COLUMN 12		REMARKS.
					Exceeds column 4.	Falls short of column 4.						Exceeds column 11.	Is less than column 11.	
1	3	3	4	5	6	7	8	9	10	11	12	13	14	15
and Revenue .							1. Refunds .							
Assessed Taxes .							2. Collection of Revenue.							
Medical .							3. General Administration.							
Minor Departments.							4. Law and Justice							
Miscellaneous .							5. Grants .							
Public Works .							6. Medical .							
Interest .							7. Minor Departments.							
Receipts from Local Sources.							8. Superannuations							
Grants-in-aid .							9. Miscellaneous .							
Public Works .							10. Public Works .							
Total Income .							Total .							
Deposits and Advances.							11. Deposits and Advances.							
Closing Balance .							Closing Balance .							
GRAND TOTAL							GRAND TOTAL							

FORM

(To be printed in open

[Note.—Taxes of the second half-year collected in advance in the first half should be entered

[illegible]

The Cantonment Code, 1912.

A.

the five years 19 -19 to 19 -19 .

Royal with open fly leaves.)

in red ink below the entries of collections for the first half. The page totals should also be similarly made.]

Number of lines.		Collections in												Written off or remitted.		Balance outstanding at the end of the year transferred to arrear demand register.	Name of owner.	Assessment number.	
		October.		November.		December.		January.		February.		March.							
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.						
22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	
		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
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[SCHEDULE II.—See section 57.] •

FORM

MUNL. FORM NO. 19.

PROFESSION and Trade Tax

[illegible]

The Cantonment Code, 1912.

B.

Register for the year 19 -19 .

											Second half-year.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Written off.		Amount of tax.		Authority.		Balance of first-half outstanding at the end of that half-year.		Assessment.			October.		November.		December.		January.		February.		March.		Written off.		Balance at the end of the year transferred to arrears demand register.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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C.

[illegible]

D

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and a total made for the items. Some lines may be left blank above the line for total in case it becomes necessary during the the year to enter in the to separate it from the entries on account of other revenue that follow. The collections on account of penal interest should be shown in red the renter, if according to the contract they are payable to him; otherwise they should be shown in a separate line with a separate entry for demand

[illegible]

[SCHEDULE II.—See section 57.]

FORM

ARREAR Demand Register from the years 19 -19 to 19 -19
(To be printed in open)

[illegible]

MUNL. FORM NO. 35.

REGISTER OF

(Article 148.) (To be

[Note.—The clerk concerned should note the number of each warrant issued against the corresponding assessment number in the demand effect should be made in column 21. Separate sets of pages should be set apart for each officer entrusted with the execution of warrant officers should be entered in the respective portion of this register consecutively irrespective of the tax for which they are

[illegible][illegible]

F.

printed on open toolcap.)

registers and in the bills concerned and place his initials in column 20 of this register in token thereof. When property is distrained, a note to that effect for each of whom separate warrant books with consecutive numbers should be set aside. The numbers of the warrants issued to each of these

during next year.

29

The Cantonment Code, 1912.

SCHEDULE III.

(See section 208.)

FORM OF NOTICE TO ATTEND AT HOSPITAL, ETC.

Take notice that, under section 208 of the Cantonment Code, 1912, you are hereby called upon to attend at the _____
on _____ day, the _____, 19____, at _____ o'clock _____ M., and not to quit the said _____ without the permission of the Medical Officer in charge, unless and until that Officer is satisfied that you are not in fact suffering, or are no longer suffering, from an infectious or contagious disorder, that is to say, from _____

Medical Officer in charge of the

Dated _____, the _____, 19____

The Cantonment Code, 1912.

SCHEDULE IV.

(See section 242.)

CASES IN WHICH POLICE MAY ARREST WITHOUT WARRANT.

Section.	Subject.
PART A.	
7 (a) (i)	Drunkenness, etc.
197	Making or selling of food, etc., or washing of clothes, by infected person.
277	In contravention of bye-law, cutting or destroying trees or shrubs or making excavations, etc., in hill cantonment.
PART B.	
67 (a) (ii)	Using threatening or abusive words, etc.
67 (a) (iii)	Indecent exposure of person, etc.
67 (a) (iv)	Begging.
67 (a) (v)	Exposing deformity, etc.
67 (a) (vii)	Gaming.
67 (a) (xii)	Destroying public notice, etc.
67 (a) (xiii)	Breaking direction-post, etc.
67 (g)	Keeping common gaming-house, etc.
67 (h)	Intruding on bathing-place, etc.
67 (i)	Playing music.
67 (j)	Singing, etc., so as to disturb public peace or order.
67 (k)	Firing gun, or doing other act, so as to frighten animals or cause annoyance or danger.
67 (n)	Baiting.
90 (a)	Destroying, etc., name of street or number affixed to building.
140	Rash riding or driving.
141	Riding or driving at time or in manner prohibited.
142	Driving, etc., between nightfall and dawn without a suitable lamp.
144	Leaving vehicle or animal without proper control.
146	Obstructing street.
161	Polluting source of public drinking water-supply.
162	Impairing quality, or diminishing quantity, of water in source of public drinking water-supply or injuring or impairing usefulness of water-works.
163	Trespass on water-works.
166	Throwing corpse into a source of public water-supply.
170	Bathing or washing at public well or spring so as to pollute the water.
175	Feeding animal on filth, etc.
209 (a)	Remaining in, or re-entering, cantonment after notice of expulsion for failure to attend hospital or dispensary.
210	Introducing liquor or drug into hospital or dispensary.
213	Mendicancy.
214	Loitering or importuning for sexual immorality.
215 (g)	} Remaining in, or returning to, a cantonment after notice of expulsion.
216	
218	Cruelty to animals.
224	Letting off fireworks, etc., without permission.

The Cantonment Code, 1912.
SCHEDULE V.
(See Chapter XIX.)
APPEALS FROM EXECUTIVE ORDERS.

1	2	3	4
Section.	Executive order.	Appellate authority.	Time allowed for appeal.
21 . . .	Cantonment Magistrate's order dismissing servant of cantonment authority— (i) whose salary is less than twenty-five rupees a month ; (ii) whose salary is not less than twenty-five rupees a month.	Cantonment authority . Officer Commanding the Division.	Thirty days from date of order.
78 (e) . . .	Cantonment authority's notice to provide sufficient drainage.	Officer Commanding the Division.	Fifteen days from service of notice.
83 . . .	Cantonment authority's notice to fill up a tank or marshy ground, or to drain off or remove waste or stagnant water.	Ditto ditto .	Thirty days from service of notice.
85 . . .	Cantonment authority's notice requiring a building to be repaired or altered so as to remove sanitary defects.	Ditto ditto .	Ditto ditto.
92 (1) . . .	Cantonment authority's refusal to sanction the erection or re-erection of a building.	Ditto ditto .	Thirty days from date of refusal.
92 (3) . . .	Cantonment authority's notice to alter or demolish a building.	Ditto ditto .	Thirty days from service of notice.
95 . . .	Cantonment authority's notice to pull down or otherwise deal with a building newly erected or rebuilt without permission over a sewer, drain, culvert, water-course or water-pipe.	Ditto ditto .	Ditto ditto.
96 . . .	Cantonment authority's notice to repair, protect or enclose a building, well, tank, reservoir, pool, depression or excavation.	Ditto ditto .	Ditto ditto.
97 . . .	Cantonment authority's notice to remove a building, wall or structure or anything affixed thereto, or a bank or tree, or to repair a building, wall, structure or bank.	Ditto ditto .	Ditto ditto.
110 (1) . . .	Cantonment authority's notice to close a sarai.	District Magistrate .	Ditto ditto.
119 (3) . . .	Cantonment authority's notice to close a market.	Officer Commanding the Division.	Ditto ditto.
128 . . .	Cantonment authority's notice prohibiting or restricting the use of a slaughter-house.	District Magistrate .	Twenty-one days from service of notice.
209 . . .	Order of Commanding Officer of cantonment, on report of Medical Officer, directing a person to remove from the cantonment and prohibiting him from re-entering it without permission.	I.—The Commander-in-Chief if the Commanding Officer of the cantonment is the Officer Commanding the Division. II.—The Officer Commanding the Division in all other cases.	Thirty days from service of notice.
215 (3) . . .	Cantonment Magistrate's notice directing a person to remove from the cantonment and prohibiting him from re-entering it without permission.	District Magistrate .	Ditto ditto.

The Cantonment Code, 1912.
SCHEDULE V—*contd.*

Section.	Executive order.	Appellate authority.	Time allowed for appeal.
215 . . .	Cantonment Magistrate's notice issued on order of the Commanding Officer of cantonment, directing a person to remove from the cantonment and prohibiting him from re-entering it without permission.	I.—The Commander-in-Chief if the Commanding Officer of the cantonment is the Officer Commanding the Division. II.—The Officer Commanding the Division in all other cases.	Thirty days from service of notice.
231 (2) . . .	Order of Commanding Officer of cantonment refusing to convene a committee of arbitration.	I.—The Commander-in-Chief if the Commanding Officer of the cantonment is the Officer Commanding the Division. II.—The Officer Commanding the Division in all other cases.	Thirty days from date of order.
264 and Schedule VI (Conditions of Lease).	Cantonment authority's notice in pursuance of conditions of lease, requiring a lessee to let a house, not already occupied by military officer, to a military officer.	Officer Commanding the Division.	Twenty-one days from service of notice.
	Cantonment authority's notice, in pursuance of conditions of lease, requiring a lessee to let a house to a civil officer.	Ditto ditto .	Ditto ditto.
	Cantonment authority's notice, in pursuance of conditions of lease, requiring a tenant to vacate a house.	Ditto ditto .	Ditto ditto.

SCHEDULE VI.

(See section 264.)

FORM A*.

(Form of Lease to be executed in cases of land applied for by a railway company, or for the purpose of erecting a hospital, school or other public building.)

This Indenture made the _____ day of _____ 19____
Between the Secretary of State for India in Council (hereinafter called the Secretary of State which expression where the context so admits shall include his successors in office and assigns) of the one part, and

(Hereinafter called the Lessee (s) which expression where the context so admits shall include ^{its}_{their} successors and assigns) of the other part.

Whereas the Lessee (s) ^{has}_{have} applied for permission to occupy, for the purposes of a building site, the land belonging to the Government in the Cantonment which is delineated in the site-plan hereto appended, and ^{has}_{have} submitted with ^{its}_{their} application the particulars and documents required by sections 261 and 262 of the Cantonment Code, 1912.

And whereas the said application has received the sanction of the Officer Commanding the _____ Division.

Now this Indenture witnesseth as follows—

The Secretary of State doth hereby grant unto the Lessee (s) liberty and license to enter into and upon the piece or parcel of land delineated in the site-plan hereto appended

* Copies of the Form, with the annexure, will be obtainable gratis on application to the Cantonment Magistrate.

*The Cantonment Code, 1912.*SCHEDULE VI—*contd.*

and henceforth to occupy the same as a site for the erection of buildings, and henceforth to hold and enjoy the same and any buildings erected by ^{it}_{them} thereon* subject to the conditions set forth in the annexure hereto.

* Fill in as the case may be "free of rent but" or "subject to the payment of the yearly rent of Rs. and"

2. The Lessee (s) hereby covenant (s) with the Secretary of State that the Lessee shall and will (duly pay the said rent in the manner provided in the annexure hereto and) observe all and every the conditions hereinbefore referred to and on ^{its}_{their} part to be observed—

In Witness whereof the Secretary of State has hereunto set his hand and seal and the Lessee (s) ^{has caused its common seal to be affixed}_{have also set their hands and seals} the day and year first above written.

When the parties execute on separate dates, omit the words "the day and year first above written" and add the dates below the signatures. The last of such dates will be entered in the commencement as the day of making the indenture.

Strike out to suit facts.

Signed, Sealed and Delivered by the
Officer Commanding the Division
acting in the premises for and on behalf
of the Secretary of State for India in
Council in the presence of _____

The common seal of the
_____ Company
was hereto affixed in the presence
of _____

or
Signed, Sealed and Delivered by
the above named _____
in the
presence of _____

ANNEXURE TO FORM A.

Conditions.

Condition I.—The buildings to be erected on the land shall be commenced within six months from the execution of the lease and shall be completed within the period specified in the note endorsed on such plan or within such further period (if any) as the authority which sanctioned the application under *Chapter XXI of the Cantonment Code, 1912*, may by order in writing allow.

Condition II.—(1) The said buildings shall be erected in accordance with the particulars specified in the Lessee (s)' application under sections 261 and 262 of the said Cantonment Code and the plans and documents accompanying the same and the site-plan appended hereto or where a proposed building, alteration or addition is not in accordance therewith then in accordance with such further or other particulars as may be permitted in writing by the authority which sanctioned the application under *Chapter XXI* of the said Code.

(2) Any such permission may be made subject to any conditions which may be agreed upon between such authority and the Lessee (s).

Condition III.—The land shall not be used for any purposes other than those specified in the Lessee (s)' application under section 261, clause (d), of the Cantonment Code, 1912, nor shall the buildings erected on the land be permitted to fall into such a state as absolutely to prevent their being used for the purposes so specified. Provided always that if the said buildings or any part thereof shall at any time be destroyed by earthquake, fire, cyclone or other act of God or shall be so injured thereby as to render them unfit for the purposes above specified then and in such case the Lessee (s) shall within six calendar months from such destruction or injury as aforesaid commence to rebuild the same and shall reinstate the same fit for use for the purposes aforesaid within such period not exceeding two years after the same shall have been so destroyed or injured as aforesaid as to the Officer Commanding the Division shall seem fit provided never-